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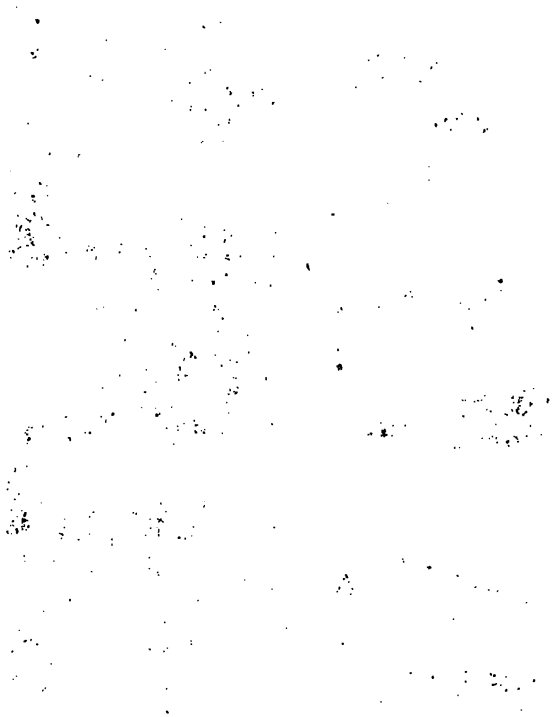

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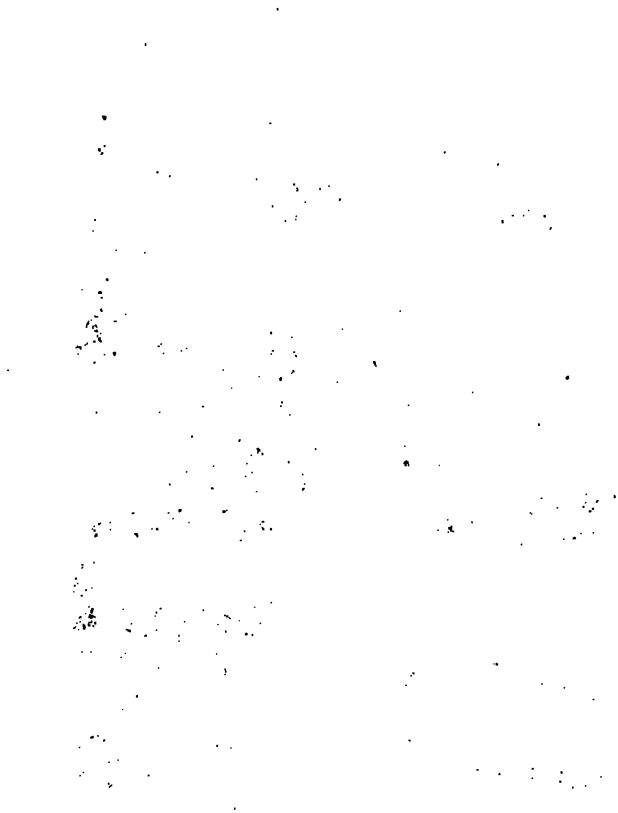

THE

WORKS

OF

FRANCIS BACON,

BARON OF VERULAM,

VISCOUNT ST. ALBAN,

AND

Lord High Chancellor of England.

NEW EDITION.

IN TEN VOLUMES.

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THE

HISTORY OF THE REIGN

OF

KING HENRY THE SEVENTH.

TO

THE MOST ILLUSTRIOUS AND MOST EXCELLENT

PRINCE CHARLES,

PRINCE OF WALES, DUKE OF CORNWALL, EARL OF CHESTER, &c.

IT MAY PLEASE YOUR HIGHNESS,

In part of my acknowledgment to your Highness, I have endeavoured to do honour to the memory of the last King of England, that was ancestor to the King your father and yourself; and was that King to whom both unions may in a sort refer: that of the roses being in him consummate, and that of the kingdoms by him begun: besides, his times deserve it. For he was a wise man, and an excellent King; and yet the times were rough, and full of mutations, and rare accidents. And it is with times, as it is with ways: some are more up-hill and down-hill, and some are more flat and plain; and the one is better for the liver, and the other for the writer. I have not flattered him, but took him to life as well as I could, sitting so far off, and having no better light. It is true your highness hath a living pattern, incomparable, of the King your father: but it is not amiss for you also to see one of these ancient pieces. God preserve your Highness.

Your Highness's most humble
and devoted servant,

FRANCIS ST. ALBAN.

THE

HISTORY OF THE REIGN

OF

KING HENRY THE SEVENTH.

AFTER that Richard, the third of that name, King in fact only, but tyrant both in title and regiment, and so commonly termed and reputed in all times since, was, by the divine revenge favouring the design of an exiled man, overthrown and slain at Bosworth-field; there succeeded in the kingdom the earl of Richmond, thenceforth styled Henry the seventh. The King immediately after the victory, as one that had been bred under a devout mother, and was in his nature a great observer of religious forms, caused "Te Deum laudamus" to be solemnly sung in the presence of the whole army upon the place, and was himself with general applause and great cries of joy, in a kind of military election or recognition, saluted King. Meanwhile the body of Richard, after many indignities and reproaches, the *diriges* and obsequies of the common people towards tyrants, was obscurely buried. For though the King of his nobleness gave charge unto the friars of Leicester to see an honourable interment to be given to it, yet the religious people themselves, being not free from the humours of the vulgar, neglected it; wherein nevertheless they did not then incur any man's blame or censure: no man thinking any ignominy or contumely unworthy of him, that had been the executioner of King Henry the sixth, that innocent Prince, with his own hands; the contriver of the death of the duke of Clarence his brother; the murderer of his two nephews, one of them his lawful King in the present, and the other in the future, failing of him, and vehemently suspected to have been the impoisoner of his wife,

thereby to make vacant his bed, for a marriage within the degrees forbidden. And although he were a Prince in military virtue approved, jealous of the honour of the English nation, and likewise a good law-maker, for the ease and solace of the common people; yet his cruelties and parricides, in the opinion of all men, weighed down his virtues and merits; and, in the opinion of wise men, even those virtues themselves were conceived to be rather feigned and affected things to serve his ambition, than true qualities ingenerate in his judgment or nature. And therefore it was noted by men of great understanding, who seeing his after-acts, looked back upon his former proceedings, that even in the time of King Edward his brother he was not without secret trains and mines to turn envy and hatred upon his brother's government; as having an expectation and a kind of divination, that the King, by reason of his many disorders, could not be of long life, but was like to leave his sons of tender years; and then he knew well, how easy a step it was, from the place of a protector, and first Prince of the blood, to the crown. And that out of this deep root of ambition it sprung, that as well at the treaty of peace that passed between Edward the fourth and Lewis the eleventh of France concluded by interview of both Kings at Piqueny, as upon all other occasions, Richard, then duke of Gloucester, stood ever upon the side of honour, raising his own reputation to the disadvantage of the King his brother, and drawing the eyes of all, especially of the nobles and soldiers upon himself; as if the King, by his voluptuous life and mean marriage, were become effeminate and less sensible of honour and reason of state than was fit for a King. And as for the politic and wholesome laws which were enacted in his time, they were interpreted to be but the brokage of an usurper, thereby to woo and win the hearts of the people, as being conscious to himself, that the true obligations of sovereignty in him failed, and were wanting. But King Henry, in the very entrance of his reign, and the instant of time when the kingdom was cast into his arms, met with a point of great difficulty, and knotty to solve, able to trouble and confound

the wisest King in the newness of his estate; and so much the more, because it could not endure a deliberation, but must be at once deliberated and determined. There were fallen to his lot, and concurrent in his person, three several titles to the imperial crown. The first, the title of the lady Elizabeth, with whom, by precedent pact with the party that brought him in, he was to marry. The second, the ancient and long disputed title, both by plea and arms, of the house of Lancaster, to which he was inheritor in his own person. The third, the title of the sword or conquest, for that he came in by victory of battle, and that the king in possession was slain in the field. The first of these was fairest, and most like to give contentment to the people, who by two and twenty years reign of King Edward the fourth had been fully made capable of the clearness of the title of the white rose, or house of York; and by the mild and plausible reign of the same King towards his latter time, were become affectionate to that line. But then it lay plain before his eyes, that if he relied upon that title, he could be but a King at courtesy, and have rather a matrimonial than a regal power; the right remaining in his Queen, upon whose decease, either with issue or without issue, he was to give place and be removed. And though he should obtain by parliament to be continued, yet he knew there was a very great difference between a King that holdeth his crown by a civil act of estates, and one that holdeth it originally by the law of nature and descent of blood. Neither wanted there even at that time secret rumours and whisperings, which afterwards gathered strength and turned to great troubles, that the two young sons of King Edward the fourth, or one of them, which were said to be destroyed in the Tower, were not indeed murdered, but conveyed secretly away, and were yet living: which, if it had been true, had prevented the title of the lady Elizabeth. On the other side, if he stood upon his own title of the house of Lancaster, inherent in his person, he knew it was a title condemned by parliament, and generally prejudged in the common opinion of the realm, and that it tended directly to the disinherison of the line of York,

held then the indubitate heirs of the crown. So that if he should have no issue by the lady Elizabeth, which should be descendents of the double line, then the ancient flames of discord and intestine wars, upon the competition of both houses, would again return and revive.

As for conquest, notwithstanding Sir William Stanley, after some acclamations of the soldiers in the field, had put a crown of ornament, which Richard wore in the battle, and was found amongst the spoils, upon King Henry's head, as if there were his chief title; yet he remembered well upon what conditions and agreements he was brought in; and that to claim as conqueror, was to put as well his own party, as the rest, into terror and fear; as that which gave him power of disannulling of laws, and disposing of mens fortunes and estates, and the like points of absolute power, being in themselves so harsh and odious, as that William himself, commonly called the conqueror, howsoever he used and exercised the power of a conqueror to reward his Normans, yet he forbore to use that claim in the beginning, but mixed it with a titulary pretence, grounded upon the will and designation of Edward the confessor. But the King, out of the greatness of his own mind, presently cast the die; and the inconveniences appearing unto him on all parts, and knowing there could not be any interreign, or suspension of title, and preferring his affection to his own line and blood, and liking that title best which made him independent; and being in his nature and constitution of mind not very apprehensive or forecasting of future events afar off, but an entertainer of fortune by the day; resolved to rest upon the title of Lancaster as the main, and to use the other two, that of marriage, and that of battle, but as supporters, the one to appease secret discontents, and the other to beat down open murmur and dispute: not forgetting that the same title of Lancaster had formerly maintained a possession of three descents in the crown; and might have proved a perpetuity, had it not ended in the weakness and inability of the last Prince. Whereupon the King presently that very day, being the two and twentieth of August, assumed the style of King in his own name, without mention of

the lady Elizabeth at all, or any relation thereunto. In which course he ever after persisted: which did spin him a thread of many seditions and troubles. The King, full of these thoughts, before his departure from Leicester, dispatched Sir Robert Willoughby to the castle of Sheriff-Hutton in Yorkshire, where were kept in safe custody, by King Richard's commandment, both the lady Elizabeth, daughter of King Edward, and Edward Plantagenet, son and heir to George, duke of Clarence. This Edward was by the King's warrant delivered from the constable of the castle to the hand of Sir Robert Willoughby: and by him with all safety and diligence conveyed to the Tower of London, where he was shut up close prisoner. Which act of the King's, being an act merely of policy and power, proceeded not so much from any apprehension he had of doctor Shaw's tale at Paul's cross for the bastarding of Edward the fourth's issues, in which case this young gentleman was to succeed, for that fable was ever exploded, but upon a settled disposition to depress all eminent persons of the line of York. Wherein still the King out of strength of will, or weakness of judgment, did use to shew a little more of the party than of the King.

For the lady Elizabeth, she received also a direction to repair with all convenient speed to London, and there to remain with the Queen dowager her mother; which accordingly she soon after did, accompanied with many noblemen and ladies of honour. In the mean season the king set forward by easy journeys to the city of London, receiving the acclamations and applauses of the people as he went, which indeed were true and unfeigned, as might well appear in the very demonstrations and fulness of the cry. For they thought generally, that he was a Prince, as ordained and sent down from heaven, to unite and put to an end the long dissensions of the two houses; which although they had had, in the times of Henry the fourth, Henry the fifth, and a part of Henry the sixth, on the one side, and the times of Edward the fourth on the other, lucid intervals and happy pauses; yet they did ever hang over the kingdom, ready to break forth into new perturbations and calamities. And

as his victory gave him the knee, so his purpose of marriage with the lady Elizabeth gave him the heart; so that both knee and heart did truly bow before him.

He on the other side with great wisdom, not ignorant of the affections and fears of the people, to disperse the conceit and terror of a conquest, had given order, that there should be nothing in his journey like unto a warlike march or manner; but rather like unto the progress of a King in full peace and assurance.

He entered the city upon a Saturday, as he had also obtained the victory upon a Saturday; which day of the week, first upon an observation, and after upon memory and fancy, he accounted and chose as a day prosperous unto him.

The mayor and companies of the city received him at Shoreditch; whence with great and honourable attendance, and troops of noblemen, and persons of quality, he entered the city; himself not being on horseback, or in any open chair or throne, but in a close chariot, as one that having been sometimes an enemy to the whole state, and a proscribed person, chose rather to keep state, and strike a reverence into the people, than to fawn upon them.

He went first into St. Paul's church, where, not meaning that the people should forget too soon that he came in by battle, he made offertory of his standards, and had orisons and "Te Deum" again sung; and went to his lodging prepared in the bishop of London's palace, where he stayed for a time.

During his abode there, he assembled his council and other principal persons, in presence of whom he did renew again his promise to marry with the lady Elizabeth. This he did the rather, because having at his coming out of Britain given artificially, for serving his own turn, some hopes, in case he obtained the kingdom, to marry Anne, inheritress to the dutchy of Britain, whom Charles the eighth of France soon after married, it bred some doubt and suspicion amongst divers that he was not sincere, or at least not fixed in going on with the match of England so much desired: which conceit also, though it were but talk and discourse, did much afflict the poor

lady Elizabeth herself. But howsoever he both truly intended it, and desired it, and desired also it should be so believed, the better to extinguish envy and contradiction to his other purposes, yet was he resolved in himself not to proceed to the consummation thereof, till his coronation and a parliament were past. The one, lest a joint coronation of himself and his Queen might give any countenance of participation of title; the other, lest in the entailing of the crown to himself, which he hoped to obtain by parliament, the votes of the parliament might any ways reflect upon her.

About this time in autumn, towards the end of September, there began and reigned in the city, and other parts of the kingdom, a disease then new: which by the accidents and manner thereof they called the sweating sickness. This disease had a swift course, both in the sick body, and in the time and period of the lasting thereof; for they that were taken with it, upon four and twenty hours escaping, were thought almost assured. And as to the time of the malice and reign of the disease ere it ceased; it began about the one and twentieth of September, and cleared up before the end of October, insomuch as it was no hindrance to the King's coronation, which was the last of October; nor, which was more, to the holding of the parliament, which began but seven days after. It was a pestilent fever, but, as it seemeth, not seated in the veins or humours, for that there followed no carbuncle, no purple or livid spots, or the like, the mass of the body being not tainted; only a malign vapour flew to the heart, and seized the vital spirits; which stirred nature to strive to send it forth by an extreme sweat. And it appeared by experience, that this disease was rather a surprise of nature than obstinate to remedies, if it were in time looked unto. For if the patient were kept in an equal temper, both for clothes, fire, and drink, moderately warm, with temperate cordials, whereby nature's work were neither irritated by heat, nor turned back by cold, he commonly recovered. But infinite persons died suddenly of it, before the manner of the cure and attendance was known. It was conceived not to be an epidemic disease, but to pro-

ceed from a malignity in the constitution of the air, gathered by the predispositions of seasons; and the speedy cessation declared as much.

On Simon and Jude's eve, the King dined with Thomas Bourchier, archbishop of Canterbury and cardinal; and from Lambeth went by land over the bridge to the Tower, where the morrow after he made twelve knights bannerets. But for creations he dispensed them with a sparing hand. For notwithstanding a field so lately fought, and a coronation so near at hand, he only created three: Jasper, earl of Pembroke, the King's uncle, was created duke of Bedford; Thomas, the lord Stanley, the King's father-in-law, earl of Derby; and Edward Courtney, earl of Devon; though the King had then nevertheless a purpose in himself to make more in time of parliament; bearing a wise and decent respect to distribute his creations, some to honour his coronation, and some his parliament.

The coronation followed two days after, upon the thirtieth day of October, in the year of our Lord, 1485; at which time Innocent the eighth was Pope of Rome; Frederick the third Emperor of Almain; and Maximilian his son newly chosen King of the Romans; Charles the eighth King of France; Ferdinando and Isabella Kings of Spain; and James the third King of Scotland: with all which Kings and States the King was at that time in good peace and amity. At which day also, as if the crown upon his head had put perils into his thoughts, he did institute, for the better security of his person, a band of fifty archers, under a captain to attend him, by the name of yeomen of his guard: and yet, that it might be thought to be rather a matter of dignity, after the imitation of what he had known abroad, than any matter of diffidence appropriate to his own case, he made it to be understood for an ordinance not temporary, but to hold in succession for ever after.

The seventh of November the King held his parliament at Westminster, which he had summoned immediately after his coming to London. His ends in calling a parliament, and that so speedily, were chiefly three: first, to procure the crown to be entailed upon himself.

Next, to have the attainders of all of his party, which were in no small number, reversed, and all acts of hostility by them done in his quarrel remitted and discharged; and on the other side, to attaint by parliament the heads and principals of his enemies. The third, to calm and quiet the fears of the rest of that party by a general pardon; not being ignorant in how great danger a King stands from his subjects, when most of his subjects are conscious in themselves that they stand in his danger. Unto these three special motives of a parliament was added, that he, as a prudent and moderate Prince, made this judgment, that it was fit for him to hasten to let his people see, that he meant to govern by law, howsoever he came in by the sword; and fit also to reclaim them to know him for their King, whom they had so lately talked of as an enemy or banished man. For that which concerned the entailing of the crown, more than that he was true to his own will, that he would not endure any mention of the lady Elizabeth, no not in the nature of special entail, he carried it otherwise with great wisdom and measure: for he did not press to have the act penned by way of declaration or recognition of right; as, on the other side, he avoided to have it by new law or ordinance, but chose rather a kind of middle way, by way of establishment, and that under covert and indifferent words: "that the inheritance of the crown should rest, remain, and abide in the King," etc. which words might equally be applied, that the crown should continue to him; but whether as having former right to it, which was doubtful, or having it then in fact and possession, which no man denied, was left fair to interpretation either way. And again, for the limitation of the entail, he did not press it to go farther than to himself and to the heirs of his body, not speaking of his right heirs: but leaving that to the law to decide: so as the entail might seem rather a personal favour to him and his children, than a total disinherison to the house of York. And in this form was the law drawn and passed. Which statute he procured to be confirmed by the Pope's bull the year following, with mention nevertheless, by way of recital, of his other titles, both of descent and conquest. So as now the wreath of three, was made a wreath of five; for

to the first three titles of the two houses, or lines, and conquest, were added two more, the authorities parliamentary and papal.

The King likewise, in the reversal of the attainders of his partakers, and discharging them of all offences incident to his service and succour, had his will; and acts did pass accordingly. In the passage whereof, exception was taken to divers persons in the house of commons, for that they were attainted, and thereby not legal, nor habilitate to serve in parliament, being disabled in the highest degree; and that it should be a great incongruity to have them to make laws, who themselves were not inlawed. The truth was, that divers of those, which had in the time of King Richard been strongest, and most declared for the King's party, were returned knights and burgesses for the parliament; whether by care or recommendation from the state, or the voluntary inclination of the people: many of which had been by Richard the third attainted by outlawries, or otherwise. The King was somewhat troubled with this; for though it had a grave and specious shew, yet it reflected upon his party. But wisely not shewing himself at all moved therewith, he would not understand it but as a case in law, and wished the judges to be advised thereupon; who for that purpose were forthwith assembled in the exchequer-chamber, which is the council-chamber of the judges, and upon deliberation they gave a grave and safe opinion and advice, mixed with law and convenience; which was, that the knights and burgesses attainted by the course of law should forbear to come into the house, till a law were passed for the reversal of their attainders.

It was at that time incidently moved amongst the judges in their consultation, what should be done for the King himself, who likewise was attainted? But it was with unanimous consent resolved, "That the crown takes away all defects and stops in blood; and that from the time the King did assume the crown, the fountain was cleared, and all attainders and corruption of blood discharged." But nevertheless, for honour's sake, it was ordained by parliament, that all records, wherein there was any memory or mention of the King's attainder, should be defaced, cancelled, and taken off the file.

But on the part of the King's enemies there were by parliament attainted, the late duke of Gloucester, calling himself Richard the third; the duke of Norfolk, the earl of Surry, viscount Lovel, the lord Ferrers, the lord Zouch, Richard Ratcliffe, William Catesby, and many others of degree and quality. In which bills of attainders, nevertheless, there were contained many just and temperate clauses, savings, and provisoes, well shewing and fore-tokening the wisdom, stay, and moderation of the King's spirit of government. And for the pardon of the rest, that had stood against the King, the King, upon a second advice, thought it not fit it should pass by parliament, the better, being matter of grace, to impropriate the thanks to himself: using only the opportunity of a parliament time, the better to disperse it into the veins of the kingdom. Therefore during the parliament he published his royal proclamation, offering pardon and grace of restitution to all such as had taken arms, or been participant of any attempts against him; so as they submitted themselves to his mercy by a day, and took the oath of allegiance and fidelity to him. Whereupon many came out of sanctuary, and many more came out of fear, no less guilty than those that had taken sanctuary.

As for money or treasure, the King thought it not seasonable or fit to demand any of his subjects at this parliament; both because he had received satisfaction from them in matters of so great importance, and because he could not remunerate them with any general pardon, being prevented therein by the coronation-pardon passed immediately before: but chiefly, for that it was in every man's eye, what great forfeitures and confiscations he had at that present to help himself; whereby those casualties of the crown might in reason spare the purses of the subject; especially in a time when he was in peace with all his neighbours. Some few laws passed at that parliament, almost for form sake: amongst which there was one, to reduce aliens, being made denizens, to pay strangers customs; and another, to draw to himself the seizures and compositions of Italians goods, for not employment, being points of profit to his coffers, whereof

from the very beginning he was not forgetful; and had been more happy at the latter end, if his early providence, which kept him from all necessity of exacting upon his people, could likewise have attempered his nature therein. He added, during parliament, to his former creations, the ennoblement or advancement in nobility of a few others; the lord Chandos of Britain, was made earl of Bath; Sir Giles Daubeney, was made lord Daubeney; and Sir Robert Willoughby, lord Brook.

The King did also with great nobleness and bounty, which virtues at that time had their turns in his nature, restore Edward Stafford, eldest son to Henry, duke of Buckingham, attainted in the time of King Richard, not only to his dignities, but to his fortunes and possessions, which were great: to which he was moved also by a kind of gratitude, for that the duke was the man that moved the first stone against the tyranny of King Richard, and indeed made the King a bridge to the crown upon his own ruins. Thus the parliament broke up.

The parliament being dissolved, the King sent forthwith money to redeem the marquis Dorset, and Sir John Bourchier, whom he had left as his pledges at Paris, for money which he had borrowed, when he made his expedition for England. And thereupon he took a fit occasion to send the lord Treasurer and master Bray, whom he used as counsellor, to the lord mayor of London, requiring of the city a prest of six thousand marks; but after many parleys, he could obtain but two thousand pounds; which nevertheless the King took in good part, as men use to do, that practise to borrow money when they have no need. About this time the King called unto his privy-council John Morton and Richard Fox, the one bishop of Ely, the other bishop of Exeter; vigilant men, and secret, and such as kept watch with him almost upon all men else. They had been both versed in his affairs, before he came to the crown, and were partakers of his adverse fortune. This Morton soon after, upon the death of Bourchier, he made archbishop of Canterbury. And for Fox, he made him lord keeper of his privy-seal, and afterwards advanced him by

degrees, from Exeter to Bath and Wells, thence to Durham, and last to Winchester. For although the King loved to employ and advance bishops, because having rich bishoprieks, they carried their reward upon themselves; yet he did use to raise them by steps, that he might not lose the profit of the first fruits, which by that course of gradation was multiplied.

At last, upon the eighteenth of January, was solemnized the so long expected and so much desired marriage, between the King and the lady Elizabeth; which day of marriage was celebrated with greater triumph and demonstrations, especially on the people's part, of joy and gladness, than the days either of his entry or coronation; which the King rather noted than liked. And it is true, that all his life-time, while the lady Elizabeth lived with him, for she died before him, he shewed himself no very indulgent husband towards her, though she was beautiful, gentle, and fruitful. But his aversion towards the house of York, was so predominant in him, as it found place not only in his wars and councils, but in his chamber and bed.

Towards the middle of the spring, the King, full of confidence and assurance, as a prince that had been victorious in battle, and had prevailed with his parliament in all that he desired, and had the ring of acclamations fresh in his ears, thought the rest of his reign should be but play, and the enjoying of a kingdom: yet, as a wise and watchful King, he would not neglect any thing for his safety; thinking nevertheless to perform all things now, rather as an exercise than as a labour. So he being truly informed, that the northern parts were not only affectionate to the house of York, but particularly had been devoted to King Richard the third, thought it would be a summer well spent to visit those parts, and by his presence and application of himself to reclaim and rectify those humours. But the King, in his account of peace and calms, did much overcast his fortunes, which proved for many years together full of broken seas, tides and tempests. For he was no sooner come to Lincoln, where he kept his Easter, but he received news, *that the lord* Lovel, Humphry Staf-

ford, and Thomas Stafford, who had formerly taken sanctuary at Colchester, were departed out of sanctuary, but to what place no man could tell: which advertisement the King despised, and continued his journey to York. At York there came fresh and more certain advertisement, that the lord Lovel was at hand with a great power of men, and that the Staffords were in arms in Worcestershire, and had made their approaches to the city of Worcester, to assail it. The King, as a prince of great and profound judgment, was not much moved with it; for that he thought it was but a rag or remnant of Bosworth-field, and had nothing in it of the main party of the house of York. But he was more doubtful of the raising of forces to resist the rebels, than of the resistance itself; for that he was in a core of people, whose affections he suspected. But the action enduring no delay, he did speedily levy and send against the lord Lovel, to the number of three thousand men, ill armed, but well assured, being taken some few out of his own train, and the rest out of the tenants and followers of such as were safe to be trusted, under the conduct of the duke of Bedford. And as his manner was to send his pardons rather before the sword than after, he gave commission to the Duke to proclaim pardon to all that would come in: which the duke, upon his approach to the lord Lovel's camp did perform. And it fell out as the King expected; the heralds were the great ordnance. For the lord Lovel, upon proclamation of pardon, mistrusting his men, fled into Lancashire, and lurking for a time with Sir Thomas Broughton, after sailed over into Flanders to the lady Margaret. And his men, forsaken of their captain, did presently submit themselves to the duke. The Staffords likewise, and their forces, hearing what had happened to the lord Lovel, in whose success their chief trust was, despaired and dispersed. The two brothers taking sanctuary at Colnham, a village near Abingdon; which place, upon view of their privilege in the King's bench, being judged no sufficient sanctuary for traitors, Humphrey was executed at Tyburn; and Thomas, as being led by his elder brother was pardoned. So this rebellion proved but a blast, and the King hav-

ing by this journey purged a little the dregs and leaven of the northern people, that were before in no good affection towards him, returned to London.

In September following, the Queen was delivered of her first son, whom the King, in honour of the British race, of which himself was, named Arthur, according to the name of that ancient worthy ~~King of~~ the Britains, in whose acts there is truth enough to make him famous, besides that which is fabulous. The child was strong and able, though he was born in the eighth month, which the physicians do prejudge.

There followed this year, being the second of the King's reign, a strange accident of state, whereof the relations which we have are so naked, as they leave it scarce credible; not for the nature of it, for it hath fallen out often, but for the manner and circumstance of it, especially in the beginnings. Therefore we shall make our judgment upon the things themselves, as they give light one to another, and, as we can, dig truth out of the mine. The King was green in his estate; and, contrary to his own opinion and desert both, was not without much hatred throughout the realm. The root of all was the discountenancing of the house of York, which the general body of the realm still affected. This did alienate the hearts of the subjects from him daily more and more, especially when they saw, that after his marriage, and after a son born, the King did nevertheless not so much as proceed to the coronation of the Queen, not vouchsafing her the honour of a matrimonial crown; for the coronation of her was not till almost two years after, when danger had taught him what to do. But much more when it was spread abroad, whether by error, or the cunning of malecontents, that the King had a purpose to put to death Edward Plantagenet closely in the Tower: whose case was so nearly paralleled with that of Edward the fourth's children, in respect of the blood, like age, and the very place of the Tower, as it did refresh and reflect upon the King a most odious resemblance, as if he would be another King Richard. And all this time it was still whispered every where, that at least one of the children of Edward

the fourth was living: which bruit was cunningly fomented by such as desired innovation. Neither was the King's nature and customs greatly fit to disperse these mists, but contrariwise, he had a fashion rather to create doubts than assurance. Thus was fuel prepared for the spark: the spark, that afterwards kindled such a fire and combustion, was at the first contemptible.

There was a subtile priest called Richard Simon [1], that lived in Oxford, and had to his pupil a baker's son, named Lambert Simnell, of the age of some fifteen years, a comely youth, and well favoured, not without some extraordinary dignity and grace of aspect. It came into this priest's fancy, hearing what men talked, and in hope to raise himself to some great bishoprick, to cause this lad to counterfeit and personate the second son of Edward the fourth, supposed to be murdered; and afterward, for he changed his intention in the manage, the lord Edward Plantagenet, then prisoner in the Tower, and accordingly to frame him and instruct him in the part he was to play. This is that which, as was touched before, seemeth scarcely credible; not that a false person should be assumed to gain a kingdom, for it hath been seen in ancient and late times; nor that it should come into the mind of such an abject fellow, to enterprise so great a matter; for high conceits do sometimes come streaming into the imaginations of base persons; especially when they are drunk with news, and talk of the people. But here is that which hath no appearance: That this priest, being utterly unacquainted with the true person, according to whose pattern he should shape his counterfeit, should think it possible for him to instruct his player, either in gesture and fashions, or in recounting past matters of his life and education; or in fit answers to questions, or the like, any ways to come near the resemblance of him whom he was to represent. For this lad was not to personate one, that had been long before taken out of his cradle, or conveyed away in his infancy, known to few; but a

[1] The priest's name was William Simonds, and the youth was the son of ....., an organmaker in Oxford, as the priest declared before the whole convocation of the clergy at Lambeth, Feb. 17, 1486. Vide Reg. Morton, f. 34. MS. Sancroft.

youth, that till the age almost of ten years had been brought up in a court where infinite eyes had been upon him. For King Edward, touched with remorse of his brother the duke of Clarence's death, would not indeed restore his son, of whom we speak, to be duke of Clarence, but yet created him earl of Warwick, reviving his honour on the mother's side; and used him honourably during his time, though Richard the third afterwards confined him. So that it cannot be, but that some great person that knew particularly and familiarly Edward Plantagenet, had a hand in the business, from whom the priest might take his aim. That which is most probable, out of the precedent and subsequent acts, is, that it was the queen dowager, from whom this action had the principal source and motion. For certain it is, she was a busy negociating woman, and in her withdrawing-chamber had the fortunate conspiracy for the King against King Richard the third been hatched: which the King knew, and remembered perhaps but too well; and was at this time extremely discontent with the King, thinking her daughter, as the King handled the matter, not advanced but depressed: and none could hold the book so well to prompt and instruct this stage-play, as she could. Nevertheless, it was not her meaning, nor no more was it the meaning of any of the better and sager sort that favoured this enterprise, and knew the secret, that this disguised idol should possess the crown; but at his peril to make way to the overthrow of the King; and that done, they had their several hopes and ways. That which doth chiefly fortify this conjecture is, that as soon as the matter brake forth in any strength, it was one of the King's first acts to cloister the Queen dowager in the nunnery of Bermondsey, and to take away all her lands and estate; and this by a close council, without any legal proceeding, upon far fetched pretences that she had delivered her two daughters out of sanctuary to King Richard, contrary to promise. Which proceeding being even at that time taxed for rigorous and undue, both in matter and manner, makes it very probable there was some greater matter against her, which the King, upon reason of policy, and to avoid

envy, would not publish. It is likewise no small argument that there was some secret in it, and some suppressing of examinations, for that the priest Simon himself, after he was taken, was never brought to execution; no not so much as to public trial, as many clergymen were upon less treasons, but was only shut up close in a dungeon. Add to this, that after the earl of Lincoln, a principal person of the house of York, was slain in Stoke-field, the King opened himself to some of his council that he was sorry for the earl's death, because by him, he said, he might have known the bottom of his danger.

But to return to the narration itself: Simon did first instruct his scholar for the part of Richard, duke of York, second son to King Edward the fourth; and this was at such time as it was voiced, that the King purposed to put to death Edward Plantagenet, prisoner in the Tower, whereat there was great murmur. But hearing soon after a general bruit that Plantagenet had escaped out of the Tower, and thereby finding him so much beloved amongst the people, and such rejoicing at his escape, the cunning priest changed his copy, and chose now Plantagenet to be the subject his pupil should personate, because he was more in the present speech and votes of the people; and it pieced better, and followed more close and handsomely, upon the bruit of Plantagenet's escape. But yet doubting that there would be too near looking, and too much perspective into his disguise, if he should show it here in England; he thought good, after the manner of scenes in stage-plays and masks, to shew it afar off; and therefore sailed with his scholar into Ireland, where the affection to the house of York was most in height. The King had been a little improvident in the matters of Ireland, and had not removed officers and counsellors, and put in their places, or at least intermingled, persons of whom he stood assured, as he should have done, since he knew the strong bent of that country towards the house of York; and that it was a ticklish and unsettled state, more easy to receive distempers and mutations than England was. But trusting to the reputation of his

victories and successes in England, he thought he should have time enough to extend his cares afterwards to that second kingdom.

Wherefore through this neglect, upon the coming of Simon with his pretended Plantagenet into Ireland, all things were prepared for revolt and sedition, almost as if they had been set and plotted beforehand. Simon's first address was to the lord Thomas Fitz-Gerard, earl of Kildare, and deputy of Ireland; before whose eyes he did cast such a mist, by his own insinuation, and by the carriage of his youth, that expressed a natural princely behaviour, as joined perhaps with some inward vapours of ambition and affection in the earl's own mind, left him fully possessed, that it was the true Plantagenet. The earl presently communicated the matter with some of the nobles, and others there, at the first secretly; but finding them of like affection to himself, he suffered it of purpose to vent and pass abroad; because they thought it not safe to resolve, till they had a taste of the people's inclination. But if the great ones were in forwardness, the people were in fury, entertaining this airy body or phantasm with incredible affection; partly, out of their great devotion to the house of York; partly, out of a proud humour in the nation, to give a king to the realm of England. Neither did the party, in this heat of affection, much trouble themselves with the attainder of George, duke of Clarence; having newly learned by the King's example, that attainders do not interrupt the conveying of title to the crown. And as for the daughters of King Edward the fourth, they thought King Richard had said enough for them; and took them to be but as of the King's party, because they were in his power and at his disposing. So that with marvellous consent and applause, this counterfeit Plantagenet was brought with great solemnity to the castle of Dublin, and there saluted, served and honoured as King; the boy becoming it well, and doing nothing that did bewray the baseness of his condition. And within a few days after he was proclaimed King in Dublin, by the name of King Edward the sixth; there being not a sword drawn in King *Henry his quarrel.*

The King was much moved with this unexpected accident when it came to his ears, both because it struck upon that string which ever he most feared, as also because it was stirred in such a place, where he could not with safety transfer his own person to suppress it. For partly through natural valour, and partly through an universal suspicion, not knowing whom to trust, he was ever ready to wait upon all his atchievements in person. The King therefore first called his council together at the charter-house at Shine; which council was held with great secrecy, but the open decrees thereof, which presently came abroad, were three.

1 The first was, that the Queen dowager, for that she, contrary to her pact and agreement with those that had concluded with her concerning the marriage of her daughter Elizabeth with King Henry, had nevertheless delivered her daughters out of sanctuary into King Richard's hands, should be cloistered in the nunnery of Bermondsey, and forfeit all her lands and goods.

2 The next was, that Edward Plantagenet, then close prisoner in the Tower, should be, in the most public and notorious manner that could be devised, shewed unto the people: in part to discharge the King of the envy of that opinion and bruit, how he had been put to death privily in the Tower; but chiefly to make the people see the levity and imposture of the proceedings of Ireland, and that their Plantagenet was indeed but a puppit or a counterfeit.

3 The third was, that there should be again proclaimed a general pardon to all that would reveal their offences, and submit themselves by a day. And that this pardon should be conceived in so ample and liberal a manner, as no high-treason, no not against the King's own person, should be excepted. Which though it might seem strange, yet was it not so to a wise King, that knew his greatest dangers were not from the least treasons, but from the greatest. These resolutions of the King and his council were immediately put in execution. And first, the Queen dowager was put into the monastery of Bermondsey, and all her estates seized into the King's hands: whereat there was much wondering; that a

weak woman, for the yielding to the menaces and promises of a tyrant, after such a distance of time, wherein the King had shewed no displeasure nor alteration, but much more after so happy a marriage between the King and her daughter, blessed with issue male, should, upon a sudden mutability or disclosure of the King's mind, be so severely handled.

This lady was amongst the examples of great variety of fortune. She had first from a distressed suitor, and desolate widow, been taken to the marriage-bed of a bachelor King, the goodliest personage of his time; and even in his reign she had endured a strange eclipse by the King's flight, and temporary depriving from the crown. She was also very happy, in that she had by him fair issue; and continued his nuptial love, helping herself by some obsequious bearing and dissembling of his pleasures, to the very end. She was much affectionate to her own kindred, even unto faction; which did stir great envy in the lords of the King's side, who counted her blood a disparagement to be mingled with the King's. With which lords of the King's blood joined also the King's favourite, the lord Hastings; who, notwithstanding the King's great affection to him, was thought at times, through her malice and spleen, not to be out of danger of falling. After her husband's death she was matter of tragedy, having lived to see her brother beheaded, and her two sons deposed from the crown, bastarded in their blood, and cruelly murdered. All this while nevertheless she enjoyed her liberty, state, and fortunes: but afterwards again, upon the rise of the wheel, when she had a King to her son-in-law, and was made grandmother to a grandchild of the best sex; yet was she, upon dark and unknown reasons, and no less strange pretences, precipitated and banished the world into a nunnery; where it was almost thought dangerous to visit her, or see her; and where not long after she ended her life: but was by the King's commandment buried with the King her husband at Windsor. She was foundress of Queen's college in Cambridge. For this act the King sustained great obloquy, which never-

theless, besides the reason of state, was somewhat sweetened to him by a great confiscation.

About this time also, Edward Plantagenet was upon a Sunday brought throughout all the principal streets of London, to be seen of the people. And having passed the view of the streets, was conducted to Paul's church in solemn procession, where great store of people were assembled. And it was provided also in good fashion, that divers of the nobility, and others of quality, especially of those that the King most suspected, and knew the person of Plantagenet best, had communication with the young gentleman by the way, and entertained him with speech and discourse; which did in effect mar the pageant in Ireland with the subjects here, at least with so many, as out of error, and not out of malice, might be misled. Nevertheless in Ireland, where it was too late to go back, it wrought little or no effect. But contrariwise, they turned the imposture upon the King; and gave out, that the King, to defeat the true inheritor, and to mock the world, and blind the eyes of simple men, had tricked up a boy in the likeness of Edward Plantagenet, and shewed him to the people; not sparing to profane the ceremony of a procession, the more to countenance the fable.

The general pardon likewise near the same time came forth; and the King therewithal omitted no diligence, in giving strait order for the keeping of the ports, that fugitives, malecontents, or suspected persons, might not pass over into Ireland and Flanders.

Meanwhile the rebels in Ireland had sent privy messengers both into England and into Flanders, who in both places had wrought effects of no small importance. For in England they won to their party John, earl of Lincoln, son of John de la Pole, duke of Suffolk, and of Elizabeth, King Edward the fourth's eldest sister. This earl was a man of great wit and courage, and had his thoughts highly raised by hopes and expectations for a time: for Richard the third had a resolution, out of his hatred to both his brethren, King Edward, and the duke of Clarence, and their lines, having had

his hand in both their bloods, to disable their issues upon false and incompetent pretexts; the one of attainder, the other of illegitimation: and to design this gentleman, in case himself should die without children, for inheritor of the crown. Neither was this unknown to the King, who had secretly an eye upon him. But the King, having tasted of the envy of the people for his imprisonment of Edward Plantagenet, was doubtful to heap up any more distastes of that kind, by the imprisonment of de la Pole also; the rather thinking it policy to conserve him as a corrival unto the other. The earl of Lincoln was induced to participate with the action of Ireland, not lightly upon the strength of the proceedings there, which was but a bubble, but upon letters from the lady Margaret of Burgundy, in whose succours and declaration for the enterprise there seemed to be a more solid foundation, both for reputation and forces. Neither did the earl refrain the business, for that he knew the pretended Plantagenet to be but an idol. But contrariwise, he was more glad it should be the false Plantagenet than the true; because the false being sure to fall away, of himself, and the true to be made sure of by the King, it might open and pave a fair and prepared way to his own title. With this resolution he sailed secretly into Flanders, where was a little before arrived the lord Lovel, leaving a correspondence here in England with Sir Thomas Broughton, a man of great power and dependencies in Lancashire. For before this time, when the pretended Plantagenet was first received in Ireland, secret messengers had been also sent to the lady Margaret, advertising her what was passed in Ireland, imploring succours in an enterprise, as they said, so pious and just, that God had so miraculously prospered the beginning thereof; and making offer, that all things should be guided by her will and direction, as the sovereign patroness and protectoress of the enterprise. Margaret was second sister to King Edward the fourth, and had been second wife to Charles, surnamed the Hardy, duke of Burgundy; by whom having no children of her own, she did with singular care and tenderness intend the education of Philip and Margaret,

grandchildren to her former husband; which won her great love and authority among the Dutch. This Princess, having the spirit of a man, and malice of a woman, abounding in treasure by the greatness of her dower and her provident government, and being childless, and without any nearer care, made it her design and enterprise, to see the majesty royal of England once again replaced in her house; and had set up King Henry as a mark, at whose overthrow all her actions should aim and shoot; insomuch as all the counsels of his succeeding troubles came chiefly out of that quiver. And she bare such a mortal hatred to the house of Lancaster, and personally to the King, as she was no ways mollified by the conjunction of the houses in her niece's marriage, but rather hated her niece, as the means of the King's ascent to the crown, and assurance therein. Wherefore with great violence of affection she embraced this overture. And upon counsel taken with the earl of Lincoln, and the lord Lovel, and some other of the party, it was resolved with all speed, the two lords, assisted with a regiment of two thousand Almains, being choice and veteran bands, under the command of Martin Swart, a valiant and experimented captain, should pass over into Ireland to the new King; hoping, that when the action should have the face of a received and settled regality, with such a second person as the earl of Lincoln, and the conjunction and reputation of foreign succours, the fame of it would embolden and prepare all the party of the confederates and malecontents within the realm of England to give them assistance when they should come over there. And for the person of the counterfeit, it was agreed, that if all things succeeded well he should be put down, and the true Plantagenet received; wherein nevertheless the earl of Lincoln had his particular hopes. After they were come into Ireland, and that the party took courage, by seeing themselves together in a body, they grew very confident of success; conceiving and discoursing amongst themselves, that they went in upon far better cards to overthrow King Henry, than King Henry had to overthrow King Richard: and that if there were not *a*

sword drawn against them in Ireland, it was a sign the swords in England would be soon sheathed or beaten down. And first, for a bravery upon this accession of power, they crowned their new King in the cathedral church of Dublin; who formerly had been but proclaimed only; and then sat in council, what should farther be done. At which council, though it were propounded by some, that it were the best way to establish themselves first in Ireland, and to make that the seat of the war, and to draw King Henry thither in person, by whose absence they thought there would be great alterations and commotions in England; yet because the kingdom there was poor, and they should not be able to keep their army together, nor pay their German soldiers, and for that also the sway of the Irishmen, and generally of the men of war, which, as in such cases of popular tumults is usual, did in effect govern their leaders, was eager, and in affection to make their fortunes upon England; it was concluded with all possible speed to transport their forces into England. The King in the mean time, who at the first when he heard what was done in Ireland, though it troubled him, yet thought he should be well enough able to scatter the Irish as a flight of birds, and rattle away this swarm of bees with their King; when he heard afterwards that the earl of Lincoln was embarked in the action, and that the lady Margaret was declared for it; he apprehended the danger in a true degree as it was, and saw plainly that his kingdom must again be put to the stake, and that he must fight for it. And first he did conceive, before he understood of the earl of Lincoln's sailing into Ireland out of Flanders, that he should be assailed both upon the east parts of the kingdom of England, by some impression from Flanders, and upon the north-west out of Ireland. And therefore having ordered musters to be made in both parts, and having provisionally designed two generals, Jasper, earl of Bedford, and John, earl of Oxford, meaning himself also to go in person where the affairs should most require it, and nevertheless not expecting any actual invasion at that time, the winter being far on, he

took his journey himself towards Suffolk and Norfolk, for the confirming of those parts. And being come to St. Edmond's-Bury, he understood that Thomas marquis Dorset, who had been one of the pledges in France, was hasting towards him, to purge himself of some accusations which had been made against him. But the King, though he kept an ear for him, yet was the time so doubtful, that he sent the earl of Oxford to meet him, and forthwith to carry him to the Tower; with a fair message nevertheless, that he should bear that disgrace with patience, for that the King meant not his hurt, but only to preserve him from doing hurt, either to the King's service, or to himself; and that the King should always be able, when he had cleared himself, to make him reparation.

From St. Edmond's-Bury he went to Norwich, where he kept his Christmas. And from thence he went, in a manner of pilgrimage to Walsingham, where he visited our lady's church famous for miracles, and made his prayers and vows for help and deliverance. And from thence he returned by Cambridge to London. Not long after, the rebels, with their King, under the leading of the earl of Lincoln, the earl of Kildare, the lord Lovel, and colonel Swart, landed at Fouldrey in Lancashire; whither there repaired to them Sir Thomas Broughton, with some small company of English. The King by that time, knowing now the storm would not divide, but fall in one place, had levied forces in good number; and in person, taking with him his two designed generals, the duke of Bedford, and the earl of Oxford, was come on his way towards them as far as Coventry, whence he sent forth a troop of light horsemen for discovery, and to intercept some stragglers of the enemies, by whom he might the better understand the particulars of their progress and purposes, which was accordingly done; though the King otherwise was not without intelligence from espials in the camp.

The rebels took their way toward York, without spoiling the country, or any act of hostility, the better to put themselves into favour of the people, and to personate their King: who, no doubt, out of a princely

feeling, was sparing and compassionate towards his subjects: but their snow-ball did not gather as it went. For the people came not in to them; neither did any rise or declare themselves in other parts of the kingdom for them; which was caused partly by the good taste that the King had given his people of his government, joined with the reputation of his felicity; and partly for that it was an odious thing to the people of England, to have a King brought in to them upon the shoulders of Irish and Dutch, of which their army was in substance compounded. Neither was it a thing done with any great judgment on the party of the rebels, for them to take their way towards York: considering that howsoever those parts had formerly been a nursery of their friends; yet it was there, where the lord Lovel had so lately disbanded, and where the King's presence had a little before qualified discontents. The earl of Lincoln, deceived of his hopes of the countries concourse unto him, in which case he would have temporised; and seeing the business past retract, resolved to make on where the King was, and to give him battle; and thereupon marched towards Newark, thinking to have surprised the town. But the King was somewhat before this time come to Nottingham, where he called a council of war, at which was consulted whether it were best to protract time, or speedily to set upon the rebels. In which council the King himself, whose continual vigilancy did suck in sometimes causeless suspicions, which few else knew, inclined to the accelerating a battle; but this was presently put out of doubt, by the great aids that came in to him in the instant of this consultation, partly upon missives, and partly voluntaries, from many parts of the kingdom.

The principal persons that came then to the King's aid, were the earl of Shrewsbury, and the lord Strange, of the nobility; and of knights and gentlemen, to the number of at least threescore and ten persons, with their companies, making in the whole, at the least, six thousand fighting men, besides the forces that were with the King before. Whereupon the King, finding his army so bravely reinforced, and a great alacrity in all his men

to fight, was confirmed in his former resolution, and marched speedily, so as he put himself between the enemies camp and Newark; being loth their army should get the commodity of that town. The earl, nothing dismayed, came forwards that day unto a little village called Stoke, and there encamped that night, upon the brow or hanging of a hill. The King the next day presented him battle upon the plain, the fields there being open and champain. The earl courageously came down and joined battle with him. Concerning which battle the relations that are left unto us are so naked and negligent, though it be an action of so recent memory, as they rather declare the success of the day, than the manner of the fight. They say, that the King divided his army into three battails; whereof the vant-guard only, well strengthened with wings, came to fight: that the fight was fierce and obstinate, and lasted three hours, before the victory inclined either way; save that judgment might be made by that the King's vant-guard of itself maintained fight against the whole power of the enemies, the other two battails remaining out of action, what the success was like to be in the end: that Martin Swart with his Germans performed bravely, and so did those few English that were on that side; neither did the Irish fail in courage or fierceness; but being almost naked men, only armed with darts and skeins, it was rather an execution than a fight upon them; insomuch as the furious slaughter of them was a great discouragement and appalement to the rest: that there died upon the place all the chieftains: that is, the earl of Lincoln, the earl of Kildare, Francis Lord Lovel, Martin Swart, and Sir Thomas Broughton; all making good the fight, without any ground given. Only of the lord Lovel there went a report, that he fled, and swam over Trent on horseback, but could not recover the farther side, by reason of the steepness of the bank, and so was drowned in the river. But another report leaves him not there, but that he lived long after in a cave or vault. The number that was slain in the field, was of the enemies part four thousand at the least; and of the King's part, one half of his vant-guard, besides many

hurt, but none of name. There were taken prisoners, amongst others, the counterfeit Plantagenet, now Lambert Simnell again, and the crafty priest his tutor. For Lambert, the King would not take his life, both out of magnanimity, taking him but as an image of wax, that others had tempered and molded; and likewise out of wisdom, thinking that if he suffered death, he would be forgotten too soon; but being kept alive, he would be a continual spectacle, and a kind of remedy against the like inchantments of people in time to come. For which cause he was taken into service in his court to a base office in his kitchen; so that, in a kind of *mattacina* of human fortune, he turned a broach, that had worn a crown; whereas fortune commonly doth not bring in a comedy or farce after a tragedy. And afterwards he was preferred to be one of the King's falconers. As to the priest, he was committed close prisoner, and heard of no more; the King loving to seal up his own dangers.

After the battle the King went to Lincoln, where he caused supplications and thanksgivings to be made for his deliverance and victory. And that his devotions might go round in circle, he sent his banner to be offered to our lady of Walsingham, where before he made his vows. And thus delivered of this so strange an engine, and new invention of fortune, he returned to his former confidence of mind; thinking now, that all his misfortunes had come at once. But it fell out unto him according to the speech of the common people in the beginning of his reign, that said, It was a token he should reign in labour, because his reign began with a sickness of sweat. But howsoever the King thought himself now in a haven, yet such was his wisdom, as his confidence did seldom darken his foresight, especially in things near hand. And therefore, awakened by so fresh and unexpected dangers, he entered into due consideration, as well how to weed out the partakers of the former rebellion, as to kill the seeds of the like in time to come: and withal to take away all shelters and harbours for discontented persons, where they might hatch and foster rebellions, which afterwards might gather strength and motion. And first, he did yet again make

a progress from Lincoln to the northern parts, though it were indeed rather an itinerary circuit of Justice than a progress. For all along as he went, with much severity and strict inquisition, partly by martial law, and partly by commission, were punished the adherents and aiders of the late rebels. Not all by death, for the field had drawn much blood, but by fines and ransoms, which spared life, and raised treasure. Amongst other crimes of this nature, there was diligent inquiry made of such as had raised and dispersed a bruit and rumour, a little before the field fought, "that the rebels had the day; and that the King's army was overthrown, and the King fled." Whereby it was supposed that many succours, which otherwise would have come unto the King, were cunningly put off and kept back. Which charge and accusation, though it had some ground, yet it was industriously embraced and put on by divers, who having been in themselves not the best affected to the King's part, nor forward to come to his aid, were glad to apprehend this colour to cover their neglect and coldness, under the pretence of such discouragements. Which cunning nevertheless the King would not understand, though he lodged it, and noted it in some particulars, as his manner was.

But for the extirpating of the roots and causes of the like commotions in time to come, the King began to find where his shoe did wring him, and that it was his depressing of the house of York that did rankle and fester the affections of his people. And therefore being now too wise to disdain perils any longer, and willing to give some contentment in that kind, at least in ceremony, he resolved at last to proceed to the coronation of his Queen. And therefore at his coming to London, where he entered in state, and in a kind of triumph, and celebrated his victory with two days of devotion, for the first day he repaired to Paul's and had the hymn of "Te Deum" sung, and the morrow after he went in procession, and heard the sermon at the cross, the Queen was with great solemnity crowned at Westminster, the five and twentieth of November, in the third year of his reign, which was about two years after the marriage;

like an old christening, that had stayed long for godfathers. Which strange and unusual distance of time made it subject to every man's note, that it was an act against his stomach, and put upon him by necessity and reason of state. Soon after, to shew that it was now fair weather again, and that the imprisonment of Thomas, marquis Dorset, was rather upon suspicion of the time, than of the man, he, the said marquis, was set at liberty, without examination or other circumstance. At that time also the King sent an ambassador unto Pope Innocent, signifying unto him this his marriage; and that now, like another Æneas, he had passed through the floods of his former troubles and travels, and was arrived unto a safe haven: and thanking his Holiness that he had honoured the celebration of his marriage with the presence of his ambassador; and offering both his person and the forces of his kingdom, upon all occasions, to do him service.

The ambassador making his oration to the Pope, in the presence of the cardinals, did so magnify the King and Queen, as was enough to glut the hearers. But then he did again so extol and deify the Pope, as made all that he had said in praise of his master and mistress seem temperate and passable. But he was very honourably entertained, and extremely much made on by the Pope: who knowing himself to be lazy and unprofitable to the Christian world, was wonderfully glad to hear that there were such echoes of him sounding in remote parts. He obtained also of the Pope a very just and honourable bull, qualifying the privileges of sanctuary, wherewith the King had been extremely galled, in three points.

The first, that if any sanctuary man did by night, or otherwise, get out of sanctuary privily, and commit mischief and trespass, and then come in again, he should lose the benefit of sanctuary for ever after. The second, that howsoever the person of the sanctuary man was protected from his creditors, yet his goods out of sanctuary should not. The third, that if any took sanctuary for case of treason, the King might appoint him keepers to look to him in sanctuary.

The King also, for the better securing of his estate against mutinous and malecontented subjects, whereof he saw the realm was full, who might have their refuge into Scotland, which was not under key, as the ports were; for that cause rather than for any doubt of hostility from those parts, before his coming to London, when he was at Newcastle, had sent a solemn ambassage unto James the third, King of Scotland, to treat and conclude a peace with him. The ambassadors were, Richard Fox, bishop of Exeter, and Sir Richard Edgecombe, comptroller of the King's house, who were honourably received and entertained there. But the King of Scotland labouring of the same disease that King Henry did, though more mortal, as afterwards appeared, that is, discontented subjects, apt to rise and raise tumult, although in his own affection he did much desire to make a peace with the King; yet finding his nobles averse, and not daring to displease them, concluded only a truce for seven years: giving nevertheless promise in private, that it should be renewed from time to time during the two Kings lives.

Hitherto the King had been exercised in settling his affairs at home. But about this time brake forth an occasion that drew him to look abroad, and to hearken to foreign business. Charles the eighth the French King, by the virtue and good fortune of his two immediate predecessors, Charles the seventh his grandfather, and Lewis the eleventh his father, received the kingdom of France in more flourishing and spread estate than it had been of many years before; being redintegrate in those principal members, which anciently had been portions of the crown of France, and were afterward dissevered, so as they remained only in homage, and not in sovereignty, being governed by absolute Princes of their own, Anjou, Normandy, Provence, and Burgundy. There remained only Britain to be re-united, and so the monarchy of France to be reduced to the ancient terms and bounds.

King Charles was not a little inflamed with an ambition to re-purchase and re-annex that duchy: which his ambition was a wise and well-weighed ambition: not

like unto the ambitions of his succeeding enterprises of Italy. For at that time, being newly come to the crown, he was somewhat guided by his father's counsels, counsels not counsellors, for his father was his own council, and had few able men about him. And that King, he knew well, had ever distasted the designs of Italy, and in particular had an eye upon Britain. There were many circumstances that did feed the ambition of Charles with pregnant and apparent hopes of success: the duke of Britain old, and entered into a lethargy, and served with mercenary counsellors, father of two only daughters, the one sickly and not like to continue; King Charles himself in the flower of his age, and the subjects of France at that time well trained for war, both for leaders and soldiers; men of service being not yet worn out since the wars of Lewis against Burgundy. He found himself also in peace with all his neighbour Princes. As for those that might oppose to his enterprise, Maximilian King of the Romans, his rival in the same desires (as well for the duchy, as the daughter) feeble in means; and King Henry of England as well somewhat obnoxious to him for his favours and benefits, as busied in his particular troubles at home. There was also a fair and specious occasion offered him to hide his ambition, and to justify his warring upon Britain; for that the duke had received and succoured Lewis, duke of Orleans, and other of the French nobility, which had taken arms against their King. Wherefore King Charles, being resolved upon that war, knew well he could not receive any opposition so potent, as if King Henry should, either upon policy of state, in preventing the growing greatness of France, or upon gratitude unto the duke of Britain, for his former favours in the time of his distress, espouse that quarrel, and declare himself in aid of the duke. Therefore he no sooner heard that King Henry was settled by his victory, but forthwith he sent ambassadors unto him to pray his assistance, or at least that he would stand neutral. Which ambassadors found the King at Leicester, and delivered their ambassage to this effect: They first imparted unto the King the success that their master had

had a little before against Maximilian, in recovery of certain towns from him: which was done in a kind of privacy, and inwardness towards the King; as if the French King did not esteem him for an outward or formal confederate, but as one that had part in his affections and fortunes, and with whom he took pleasure to communicate his business. After this compliment, and some gratulation for the King's victory, they fell to their errand; declaring to the King, That their master was enforced to enter into a just and necessary war with the duke of Britain, for that he had received and succoured those that were traitors and declared enemies unto his person and state. That they were no mean, distressed, and calamitous persons that fled to him for refuge, but of so great quality, as it was apparent that they came not thither to protect their own fortune, but to infest and invade his; the head of them being the duke of Orleans, the first Prince of the blood, and the second person of France. That therefore, rightly to understand it, it was rather on their master's part a defensive war than an offensive; as that that could not be omitted or forborn, if he tendered the conservation of his own estate; and that it was not the first blow that made the war invasive, for that no wise Prince would stay for, but the first provocation, or at least the first preparation; nay, that this war was rather a suppression of rebels, than a war with a just enemy; where the case is, that his subjects, traitors, are received by the duke of Britain his homager. That King Henry knew well what went upon it in example, if neighbour Princes should patronise and comfort rebels against the law of nations and of leagues. Nevertheless that their master was not ignorant, that the King had been beholden to the duke of Britain in his adversity; as on the other side, they knew he would not forget also the readiness of their King, in aiding him when the duke of Britain, or his mercenary counsellors, failed him, and would have betrayed him; and that there was a great difference between the courtesies received from their master, and the duke of Britain: for that the duke's might have ends of utility and bargain; whereas their master's

could not have proceeded but out of entire affection; for that, if it had been measured by a politic line, it had been better for his affairs, that a tyrant should have reigned in England, troubled and hated, than such a Prince, whose virtues could not fail to make him great and potent, whensoever he was come to be master of his affairs. But howsoever it stood for the point of obligation which the King might owe to the duke of Britain, yet their master was well assured, it would not divert King Henry of England from doing that that was just, nor ever embark him in so ill-grounded a quarrel. Therefore, since this war, which their master was now to make, was but to deliver himself from imminent dangers, their King hoped the King would shew the like affection to the conservation of their master's estate, as their master had, when time was, shewed to the King's acquisition of his kingdom. At the least, that according to the inclination which the King had ever professed of peace, he would look on, and stand neutral; for that their master could not with reason press him to undertake part in the war, being so newly settled and recovered from intestine seditions. But touching the mystery of re-annexing of the duchy of Britain to the crown of France, either by war, or by marriage with the daughter of Britain, the ambassadors bare aloof from it as from a rock, knowing that it made most against them. And therefore by all means declined any mention thereof, but contrariwise interlaced, in their conference with the King, the assured purpose of their master to match with the daughter of Maximilian; and entertained the King also with some wandering discourses of their King's purpose, to recover by arms his right to the kingdom of Naples, by an expedition in person; all to remove the King from all jealousy of any design in these hither parts upon Britain, otherwise than for quenching of the fire which he feared might be kindled in his own estate.

The King, after advice taken with his council, made answer to the ambassadors: and first returned their compliment, shewing he was right glad of the French King's reception of those towns from Maximilian. Then

he familiarly related some particular passages of his own adventures and victory passed. As to the business of Britain, the King answered in few words; that the French King, and the duke of Britain, were the two persons to whom he was most obliged of all men; and that he should think himself very unhappy if things should go so between them, as he should not be able to acquit himself in gratitude towards them both; and that there was no means for him as a Christian King, and a common friend to them, to satisfy all obligations both to God and man, but to offer himself for a mediator of an accord and peace between them; by which course he doubted not but their King's estate, and honour both, would be preserved with more safety and less envy than by a war; and that he would spare no costs or pains, no if it were to go on pilgrimage, for so good an effect; and concluded, that in this great affair, which he took so much to heart, he would express himself more fully by an ambassage, which he would speedily dispatch unto the French King for that purpose. And in this sort the French ambassadors were dismissed: the King avoiding to understand any thing touching the re-annexing of Britain, as the ambassadors had avoided to mention it: save that he gave a little touch of it in the word *envy*. And so it was, that the King was neither so shallow, nor so ill advertised, as not to perceive the intention of the French for the investing himself of Britain. But first, he was utterly unwilling, howsoever he gave out, to enter into war with France. A fame of a war he liked well, but not an atchievement; for the one he thought would make him richer, and the other poorer; and he was possessed with many secret fears touching his own people, which he was therefore loth to arm, and put weapons into their hands. Yet notwithstanding, as a prudent and courageous Prince, he was not so averse from a war, but that he was resolved to choose it, rather than to have Britain carried by France, being so great and opulent a duchy, and situate so opportunely to annoy England, either for coast or trade. But the King's hopes were, that partly by negligence, commonly imputed to the French, especially in the

court of a young King, and partly by the native power of Britain itself, which was not small; but chiefly in respect of the great party that the duke of Orleans had in the kingdom of France, and thereby means to stir up civil troubles, to divert the French King from the enterprise of Britain. And lastly, in regard of the power of Maximilian, who was corrival to the French King in that pursuit, the enterprise would either bow to a peace, or break in itself. In all which the King measured and valued things amiss, as afterwards appeared. He sent therefore forthwith to the French King Christopher Urswick, his chaplain, a person by him much trusted and employed: choosing him the rather, because he was a churchman, as best sorting with an ambassy of pacification: and giving him also a commission, that if the French King consented to treat, he should thence repair to the duke of Britain, and ripen the treaty on both parts. Urswick made declaration to the French King, much to the purpose of the King's answer to the French ambassadors here, instilling also tenderly some overture of receiving to grace the duke of Orleans, and some taste of conditions of accord. But the French King on the other side proceeded not sincerely, but with a great deal of art and dissimulation in this treaty; having for his end, to gain time, and so put off the English succours under hope of peace, till he had got good footing in Britain by force of arms. Wherefore he answered the ambassador, that he would put himself into the King's hands, and make him arbiter of the peace; and willingly consented, that the ambassador should straightways pass into Britain, to signify this his consent, and to know the duke's mind likewise; well foreseeing that the duke of Orleans, by whom the duke of Britain was wholly led, taking himself to be upon terms irreconcileable with him, would admit of no treaty of peace. Whereby he should in one, both generally abroad veil over his ambition, and win the reputation of just and moderate proceedings; and should withal endear himself in the affections of the King of England, as one that had committed all to his will; nay and, which was yet more fine, make faith in him,

that although he went on with the war, yet it should be but with the sword in his hand, to bend the stiffness of the other party to accept of peace; and so the King should take no umbrage of his arming and prosecution; but the treaty to be kept on foot till the very last instant, till he were master of the field.

Which grounds being by the French King wisely laid, all things fell out as he expected. For when the English ambassador came to the court of Britain, the duke was then scarcely perfect in his memory, and all things were directed by the duke of Orleans, who gave audience to the chaplain Urswick, and upon his ambassage delivered made answer in somewhat high terms: That the duke of Britain having been an host, and a kind of parent or foster-father to the King, in his tenderness of age and weakness of fortune, did look for at this time from King Henry, the renowned King of England, rather brave troops for his succours, than a vain treaty of peace. And if the King could forget the good offices of the duke done unto him aforetime; yet, he knew well, he would in his wisdom consider of the future, how much it imported his own safety and reputation, both in foreign parts, and with his own people, not to suffer Britain, the old confederates of England, to be swallowed up by France, and so many good ports and strong towns upon the coast be in the command of so potent a neighbour King, and so ancient an enemy: And therefore humbly desired the King to think of this business as his own: and therewith brake off, and denied any further conference for treaty.

Urswick returned first to the French King, and related to him what had passed. Who finding things to sort to his desire, took hold of them, and said; That the ambassador might perceive now that, which he for his part partly imagined before. That considering in what hands the duke of Britain was, there would be no peace but by a mixed treaty of force and persuasion: and therefore he would go on with the one, and desired the King not to desist from the other. But for his own part, he did faithfully promise to be still in the King's power, to rule him in the matter of peace. This was

accordingly represented unto the King by Urswick at his return, and in such a fashion, as if the treaty were in no sort desperate, but rather stayed for a better hour, till the hammer had wrought and beat the party of Britain more pliant. Whereupon there passed continually packets and dispatches between the two Kings, from the one out of desire, and the other out of dissimulation, about the negociation of peace. The French King mean while invaded Britain with great forces, and distressed the city of Nantz with a strait siege, and, as one, who though he had no great judgment, yet had that, that he could dissemble at home, the more he did urge the prosecution of the war, the more he did, at the same time, urge the solicitation of the peace. Insomuch as during the siege of Nantz, after many letters and particular messages, the better to maintain his dissimulation, and to refresh the treaty, he sent Bernard D'Aubigney, a person of good quality, to the King, earnestly to desire him to make an end of the business howsoever.

The King was no less ready to revive and quicken the treaty; and thereupon sent three commissioners, the abbot of Abingdon, Sir Richard Tunstal, and chaplain Urswick formerly employed, to do their utmost endeavours to manage the treaty roundly and strongly.

About this time the lord Woodvile, uncle to the Queen, a valiant gentleman and desirous of honour, sued to the King that he might raise some power of voluntaries under-hand, and without licence or passport, (wherein the King might any ways appear) go to the aid of the duke of Britain. The King denied his request, or at least seemed so to do, and laid strait commandment upon him, that he should not stir, for that the King thought his honour would suffer therein, during a treaty, to better a party. Nevertheless this lord, either being unruly, or out of conceit that the King would not inwardly dislike that, which he would not openly avow, sailed directly over into the isle of Wight, whereof he was governor, and levied a fair troop of four hundred men, and with them passed over into Britain, and joined himself with the duke's forces.

The news whereof, when it came to the French court, put divers young bloods into such a fury, as the English ambassadors were not without peril to be outraged. But the French King, both to preserve the privilege of ambassadors, and being conscious to himself, that in the business of peace he himself was the greater dissembler of the two, forbad all injuries of fact or word against their persons or followers. And presently came an agent from the King, to purge himself touching the lord Woodvile's going over; using for a principal argument, to demonstrate that it was without his privity, for that the troops were so small, as neither had the face of a succour by authority, nor could much advance the Britain affairs. To which message although the French King gave no full credit, yet he made fair weather with the King, and seemed satisfied. Soon after the English ambassadors returned, having two of them been likewise with the duke of Britain, and found things in no other terms than they were before. Upon their return they informed the King of the state of affairs, and how far the French King was from any true meaning of peace; and therefore he was now to advise of some other course; neither was the King himself led all this while with credulity merely, as was generally supposed; but his error was not so much facility of belief, as an ill measuring of the forces of the other party.

For, as was partly touched before, the King had cast the business thus with himself. He took it for granted in his own judgment, that the war of Britain, in respect of the strength of the towns and of the party, could not speedily come to a period. For he conceived, that the counsels of a war, that was undertaken by the French King, then childless, against an heir apparent of France, would be very faint and slow; and, besides, that it was not possible, but that the state of France should be embroiled with some troubles and alterations in favour of the duke of Orleans. He conceived likewise, that Maximilian King of the Romans was a Prince warlike and potent; who, he made account, would give succours to the Britains roundly. So then judging it would be

a work of time, he laid his plot, how he might best make use of that time for his own affairs. Wherein first he thought to make his vantage upon his parliament; knowing that they being affectionate unto the quarrel of Britain, would give treasure largely: which treasure, as a noise of war would draw forth, so a peace succeeding might coffer up. And because he knew his people were hot upon the business, he chose rather to seem to be deceived, and lulled asleep by the French, than to be backward in himself; considering his subjects were not so fully capable of the reasons of state, which made him hold back. Wherefore to all these purposes he saw no other expedient, than to set and keep on foot a continual treaty of peace, laying it down, and taking it up again, as the occurrence required. Besides, he had in consideration the point of honour, in bearing the blessed person of a pacificator. He thought likewise to make use of the envy the French King met with, by occasion of this war of Britain, in strengthening himself with new alliances; as namely, that of Ferdinando of Spain, with whom he had ever a consent even in nature and customs; and likewise with Maximilian, who was particularly interested. So that in substance he promised himself money, honour, friends, and peace in the end. But those things were too fine to be fortunate and succeed in all parts; for that great affairs are commonly too rough and stubborn to be wrought upon by the finer edges or points of wit. The King was likewise deceived in his two main grounds. For although he had reason to conceive that the council of France would be wary to put the King into a war against the heir apparent of France; yet he did not consider that Charles was not guided by any of the principal of the blood or nobility, but by mean men, who would make it their master-piece of credit and favour, to give venturous counsels, which no great or wise man durst or would. And for Maximilian, he was thought then a greater matter than he was; his unstable and necessitous courses being not then known.

After consultation with the ambassadors, who brought him no other news than he expected before, though he

would not seem to know it till then, he presently summoned his parliament, and in open parliament propounded the cause of Britain to both houses, by his chancellor Morton archbishop of Canterbury, who spake to this effect.

"My lords and masters, the King's grace, our sovereign lord, hath commanded me to declare unto you the causes that have moved him at this time to summon this his parliament; which I shall do in few words, craving pardon of his grace, and you all, if I perform it not as I would.

"His grace doth first of all let you know, that he retaineth in thankful memory the love and loyalty shewed to him by you, at your last meeting, in establishment of his royalty; freeing and discharging of his partakers, and confiscation of his traitors and rebels; more than which could not come from subjects to their sovereign, in one action. This he taketh so well at your hands, as he hath made it a resolution to himself, to communicate with so loving and well approved subjects, in all affairs that are of public nature, at home or abroad.

"Two therefore are the causes of your present assembling: the one, a foreign business; the other, matter of government at home.

"The French King, as no doubt ye have heard, maketh at this present hot war upon the duke of Britain. His army is now before Nantz, and holdeth it straitly besieged, being the principal city, if not in ceremony and preeminence, yet in strength and wealth, of that duchy. Ye may guess at his hopes, by his attempting of the hardest part of the war first. The cause of this war he knoweth best. He alledgeth the entertaining and succouring of the duke of Orleans, and some other French lords, whom the King taketh for his enemies. Others divine of other matters. Both parts have, by their ambassadors, divers times prayed the King's aids; the French King aids or neutrality; the Britains aids simply: for so their case requireth. The King, as a Christian Prince, and blessed son of the holy Church, hath offered himself, as a mediator, to treat of peace between them. The French King yielded to treat, but will not stay the

prosecution of the war. The Britains, that desire peace most, hearken to it least; not upon confidence or stiffness, but upon distrust of true meaning, seeing the war goes on. So as the King, after as much pains and care to effect a peace, as ever he took in any business, not being able to remove the prosecution on the one side, nor the distrust on the other, caused by that prosecution, hath let fall the treaty; not repenting of it, but despairing of it now, as not likely to succeed. Therefore by this narrative you now understand the state of the question, whereupon the King prayeth your advice; which is no other, but whether he shall enter into an auxiliary and defensive war for the Britains against France?

"And the better to open your understandings in this affair, the King hath commanded me to say somewhat to you from him, of the persons that do intervene in this business; and somewhat of the consequence thereof, as it hath relation to this kingdom, and somewhat of the example of it in general: making nevertheless no conclusion or judgment of any point, until his grace hath received your faithful and politic advices.

"First, for the King our sovereign himself, who is the principal person you are to eye in this business; his grace doth profess, that he truly and constantly desireth to reign in peace. But his grace saith, he will neither buy peace with dishonour, nor take it up at interest of danger to ensue; but shall think it a good change, if it please God to change the inward troubles and seditions, wherewith he hath been hitherto exercised, into an honourable foreign war. And for the other two persons in this action, the French King and the duke of Britain, his grace doth declare unto you, that they be the men unto whom he is of all other friends and allies most bounden: the one having held over him his hand of protection from the tyrant; the other having reached forth unto him his hand of help for the recovery of his kingdom. So that his affection toward them in his natural person is upon equal terms. And whereas you may have heard, that his grace was enforced to fly out of Britain into France, for doubts of being betrayed; his grace would not in any sort have that reflect upon the

duke of Britain, in defacement of his former benefits; for that he is throughly informed, that it was but the practice of some corrupt persons about him, during the time of his sickness, altogether without his consent or privity.

"But howsoever these things do interest his grace in this particular, yet he knoweth well, that the higher bond that tieth him to procure by all means the safety and welfare of his loving subjects, doth disinterest him of these obligations of gratitude, otherwise than thus; that if his grace be forced to make a war, he do it without passion or ambition.

"For the consequence of this action towards this kingdom, it is much as the French King's intention is. For if it be no more, but to range his subjects to reason, who bear themselves stout upon the strength of the duke of Britain, it is nothing to us. But if it be in the French King's purpose, or if it should not be in his purpose, yet if it shall follow all one, as if it were sought, that the French King shall make a province of Britain, and join it to the crown of France; then it is worthy the consideration, how this may import England, as well in the increasement of the greatness of France, by the addition of such a country, that stretcheth his boughs unto our seas, as in depriving this nation, and leaving it naked of so firm and assured confederates as the Britains have always been. For then it will come to pass, that whereas not long since this realm was mighty upon the continent, first in territory, and after in alliance, in respect of Burgundy and Britain, which were confederates indeed, but dependent confederates; now the one being already cast, partly into the greatness of France; and partly into that of Austria, the other is like wholly to be cast into the greatness of France; and this Island shall remain confined in effect within the salt waters, and girt about with the coast countries of two mighty monarchs.

"For the example, it resteth likewise upon the same question, upon the French King's intent. For if Britain be carried and swallowed up by France, as the world abroad, apt to impute and construe the actions of Princes to ambition, conceive it will; then it is an example very

dangerous and universal, that the lesser neighbour state should be devoured of the greater. For this may be the case of Scotland towards England; of Portugal towards Spain; of the smaller estates of Italy towards the greater; and so of Germany; or as if some of you of the commons might not live and dwell safely besides some of these great lords. And the bringing in of this example will be chiefly laid to the King's charge, as to him that was most interested, and most able to forbid it. But then on the other side, there is so fair a pretext on the French king's part, and yet pretext is never wanting to power, in regard the danger imminent to his own estate is such, as may make this enterprise seem rather a work of necessity than of ambition, as doth in reason correct the danger of the example. For that the example of that which is done in a man's own defence, cannot be dangerous; because it is in another's power to avoid it. But in all this business, the King remits himself to your grave and mature advice, whereupon he purposeth to rely."

This was the effect of the lord Chancellor's speech touching the cause of Britain; for the King had commanded him to carry it so, as to affect the parliament towards the business; but without engaging the King in any express declaration.

The Chancellor went on:

"For that which may concern the government at home, the King had commanded me to say unto you; that he thinketh there was never any King, for the small time that he hath reigned, had greater and juster cause of the two contrary passions of joy and sorrow, than his grace hath. Joy, in respect of the rare and visible favours of Almighty God, in girding the imperial sword upon his side, and assisting the same his sword against all his enemies; and likewise in blessing him with so many good and loving servants and subjects which have never failed to give him faithful counsel, ready obedience, and courageous defence. Sorrow, for that it hath not pleased God to suffer him to sheath his sword, as he greatly desired, otherwise than for administration of justice, but that he hath been forced to draw it so oft, to cut off

traitorous and disloyal subjects, whom, it seems, God hath left, a few amongst many good, as the Canaanites amongst the people of Israel, to be thorns in their sides, to tempt and try them; though the end hath been always, God's name be blessed therefore, that the destruction hath fallen upon their own heads.

"Wherefore his grace saith; That he seeth that it is not the blood spilt in the field that will save the blood in the city: nor the marshal's sword that will set this kingdom in perfect peace: but that the true way is, to stop the seeds of sedition and rebellion in their beginnings; and for that purpose to devise, confirm, and quicken good and wholesome laws against riots, and unlawful assemblies of people, and all combinations and confederacies of them, by liveries, tokens, and other badges of factious dependence; that the peace of the land may by these ordinances, as by bars of iron, be soundly bound in and strengthened, and all force, both in court, country, and private houses, be suppressed. The care hereof, which so much concerneth yourselves, and which the nature of the times doth instantly call for, his grace commends to your wisdoms.

"And because it is the King's desire, that this peace, wherein he hopeth to govern and maintain you, do not bear only unto you leaves, for you to sit under the shade of them in safety: but also should bear you fruit of riches, wealth, and plenty: therefore his grace prays you to take into consideration matter of trade, as also the manufactures of the kingdom, and to repress the bastard and barren employment of moneys to usury and unlawful exchanges; that they may be, as their natural use is, turned upon commerce, and lawful and royal trading. And likewise that our people be set on work in arts and handicrafts; that the realm may subsist more of itself; that idleness be avoided, and the draining out of our treasure for foreign manufactures stopped. But you are not to rest here only, but to provide farther, that whatsoever merchandise shall be brought in from beyond the seas, may be employed upon the commodities of this land; whereby the kingdom's stock of treasure may be sure to be kept from being diminished by any over-*trading of* the foreigner.

"And lastly, because the King is well assured, that you would not have him poor, that wishes you rich; he doubteth not but that you will have care, as well to maintain his revenues of customs and all other natures, as also to supply him with your loving aids, if the case shall so require. The rather, for that you know the King is a good husband, and but a steward in effect for the public; and that what comes from you, is but as moisture drawn from the earth, which gathers into a cloud, and falls back upon the earth again. And you know well, how the kingdoms about you grow more and more in greatness, and the times are stirring; and therefore not fit to find the King with an empty purse. More I have not to say to you; and wish, that what hath been said, had been better expressed: but that your wisdoms and good affections will supply. God bless your doings."

It was no hard matter to dispose and affect the parliament in this business; as well in respect of the emulation between the nations, and the envy at the late growth of the French monarchy; as in regard of the danger to suffer the French to make their approaches upon England, by obtaining so goodly a maritime province, full of sea-towns and havens, that might do mischief to the English, either by invasion, or by interruption of traffic. The parliament was also moved with the point of oppression; for although the French seemed to speak reason, yet arguments are ever with multitudes too weak for suspicions. Wherefore they did advise the King roundly to embrace the Britons quarrel, and to send them speedy aids; and with much alacrity and forwardness granted to the King a great rate of subsidy, in contemplation of these aids. But the King, both to keep a decency towards the French King, to whom he profest himself to be obliged, and indeed desirous rather to shew war than to make it; sent new solemn ambassadors to intimate unto him the decree of his estates, and to iterate his motion, that the French would desist from hostility; or if war must follow, to desire him to take it in good part, if at the motion of his people, who were sensible of the cause of the Britons as their ancient friends and confederates, he did send them succours;

with protestation nevertheless, that, to save all treaties and laws of friendship, he had limited his forces, to proceed in aid of the Britons, but in no wise to war upon the French, otherwise than as they maintained the possession of Britain. But before this formal ambassage arrived, the party of the duke had received a great blow, and grew to manifest declaration. For near the town of St. Alban in Britain, a battle had been given, where the Britons were overthrown, and the duke of Orleans, and the prince of Orange taken prisoners, there being slain on the Britons part six thousand men, and amongst them the lords Woodvile, and almost all his soldiers, valiantly fighting. And of the French part, one thousand two hundred, with their leader James Galeot a great commander.

When the news of this battle came over into England, it was time for the King, who now had no subterfuge to continue farther treaty, and saw before his eyes that Britain went so speedily for lost, contrary to his hopes: knowing also that with his people, and foreigners both, he sustained no small envy and disreputation for his former delays, to dispatch with all possible speed his succours into Britain; which he did under the conduct of Robert, lord Brooke, to the number of eight thousand choice men well armed; who having a fair wind, in few hours landed in Britain, and joined themselves forthwith to those Briton forces that remained after the defeat, and marched straight on to find the enemy, and encamped fast by them. The French wisely husbanding the possession of a victory, and well acquainted with the courage of the English, especially when they are fresh, kept themselves within their trenches, being strongly lodged, and resolved not to give battle. But meanwhile, to harass and weary the English, they did upon all advantages set upon them with their light horse; wherein nevertheless they received commonly loss, especially by means of the English archers.

But upon these achievements Francis, duke of Britain, deceased; an accident that the King might easily have foreseen, and ought to have reckoned upon and provided for, but that the point of reputation, when news first

came of the battle lost, that somewhat must be done, did overbear the reason of war.

After the duke's decease, the principal persons of Britain, partly bought, partly through faction, put all things into confusion; so as the English not finding head or body with whom to join their forces, and being in jealousy of friends, as well as in danger of enemies, and the winter begun, returned home five months after their landing. So the battle of St. Alban, the death of the duke, and the retire of the English succours, were, after some time, the causes of the loss of that duchy; which action some accounted as a blemish of the King's judgment, but most but as the misfortune of his times.

But howsoever the temporary fruit of the parliament, in their aid and advice given for Britain, took not, nor prospered not; yet the lasting fruit of parliament, which is good and wholesome laws, did prosper, and doth yet continue to this day. For according to the lord Chancellor's admonition, there were that parliament divers excellent laws ordained concerning the points which the King recommended.

First, the authority of the star-chamber, which before subsisted by the ancient common laws of the realm, was confirmed in certain cases by act of parliament. This court is one of the sagest and noblest institutions of this kingdom. For in the distribution of courts of ordinary justice, besides the high court of parliament, in which distribution the King's bench holdeth the pleas of the crown, the common-pleas pleas civil, the exchequer pleas concerning the King's revenue, and the chancery the Pretorian power for mitigating the rigour of law, in case of extremity, by the conscience of a good man; there was nevertheless always reserved a high and pre-eminent power to the King's council in causes that might in example or consequence concern the state of the commonwealth; which if they were criminal, the council used to sit in the chamber called the star-chamber; if civil, in the white-chamber or white-hall. And as the chancery had the Pretorian power for equity; so the star-chamber had the Censorian power for offences under the degree of capital.

This court of star-chamber is compounded of good elements, for it consisteth of four kinds of persons, counsellors, peers, prelates, and chief judges. It discerneth also principally of four kinds of causes, forces, frauds, crimes various of stellionate, and the inchoations or middle acts towards crimes capital or heinous, not actually committed or perpetrated. But that which was principally aimed at by this act was force, and the two chief supports of force, combination of multitudes, and maintenance or headship of great persons.

From the general peace of the country the King's care went on to the peace of the King's house, and the security of his great officers and counsellors. But this law was somewhat of a strange composition and temper. That if any of the King's servants under the degree of a lord, do conspire the death of any of the King's council or lord of the realm, it is made capital. This law was thought to be procured by the lord Chancellor, who being a stern and haughty man, and finding he had some mortal enemies in court, provided for his own safety; drowning the envy of it in a general law, by communicating the privilege with all other counsellors and peers, and yet not daring to extend it farther than to the King's servants in check-roll, lest it should have been too harsh to the gentlemen, and other commons of the kingdom; who might have thought their ancient liberty, and the clemency of the laws of England invaded, if the will in any case of felony should be made the deed. And yet the reason which the act yieldeth, that is to say, that he that conspireth the death of counsellors, may be thought indirectly, and by a mean, to conspire the death of the King himself, is indifferent to all subjects, as well as to servants in court. But it seemeth this sufficed to serve the lord Chancellor's turn at this time. But yet he lived to need a general law, for that he grew afterwards as odious to the country, as he was then to the court.

From the peace of the King's house, the King's care extended to the peace of private houses and families. For there was an excellent moral law molded thus; the taking and carrying away of women forcibly and against

their will, except female-wards and bond-women, was made capital. The parliament wisely and justly conceiving, that the obtaining of women by force into possession, howsoever afterwards assent might follow by allurements, was but a rape drawn forth in length, because the first force drew on all the rest.

There was made also another law for peace in general, and repressing of murders and manslaughters, and was in amendment of the common laws of the realm; being this: That whereas by the common law the King's suit, in case of homicide, did expect the year and the day, allowed to the party's suit by way of appeal; and that it was found by experience, that the party was many times compounded with, and many times wearied with the suit, so that in the end such suit was let fall, and by that time the matter was in a manner forgotten, and thereby prosecution at the King's suit by indictment, which is ever best, *flagrante crimine*, neglected; it was ordained, that the suit by indictment might be taken as well at any time within the year and the day, as after; not prejudicing nevertheless the party's suit.

The King began also then, as well in wisdom as in justice, to pare a little the privilege of clergy, ordaining that clerks convict should be burned in the hand; both because they might taste of some corporal punishment, and that they might carry a brand of infamy. But for this good act's sake, the King himself was after branded, by Perkin's proclamation, for an execrable breaker of the rites of holy Church.

Another law was made for the better peace of the country; by which law the King's officers and farmers were to forfeit their places and holds, in case of unlawful retainer, or partaking in routs and unlawful assemblies.

These were the laws that were made for repressing of force, which those times did chiefly require; and were so prudently framed, as they are found fit for all succeeding times, and so continue to this day.

There were also made good and politic laws that parliament, against usury, which is the bastard use of money; and against unlawful chievances and exchanges, which is bastard usury; and also for the security of the King's

customs; and for the employment of the procedures of foreign commodities, brought in by merchant-strangers, upon the native commodities of the realm; together with some other laws of less importance.

But howsoever the laws made in that parliament did bear good and wholesome fruit; yet the subsidy granted at the same time bare a fruit that proved harsh and bitter. All was inned at last into the King's barn, but it was after a storm. For when the commissioners entered into the taxation of the subsidy in Yorkshire, and the bishoprick of Duresm; the people upon a sudden grew into great mutiny, and said openly, That they had endured of late years a thousand miseries, and neither could nor would pay the subsidy. This, no doubt, proceeded not simply of any present necessity, but much by reason of the old humour of those countries, where the memory of King Richard was so strong, that it lay like lees in the bottom of mens hearts; and if the vessel was but stirred, it would come up. And, no doubt, it was partly also by the instigation of some factious malecontents, that bare principal stroke amongst them. Hereupon the commissioners being somewhat astonished, deferred the matter unto the earl of Northumberland, who was the principal man of authority in those parts. The earl forthwith wrote unto the court, signifying to the King plainly enough in what flame he found the people of those countries, and praying the King's direction. The King wrote back peremptorily, That he would not have one penny abated, of that which had been granted to him by parliament; both because it might encourage other countries, to pray the like release or mitigation; and chiefly because he would never endure that the base multitude should frustrate the authority of the parliament, wherein their votes and consents were concluded. Upon this dispatch from court, the earl assembled the principal justices and freeholders of the country; and speaking to them in that imperious language, wherein the King had written to him, which needed not, save that an harsh business was unfortunately fallen into the hands of a harsh man, did not only irritate the people, but make them conceive, by the

stoutness and haughtiness of delivery of the King's errand, that himself was the author or principal persuader of that counsel; whereupon the meaner sort routed together, and suddenly assailing the earl in his house, slew him, and divers of his servants: and rested not there, but creating for their leader Sir John Egremond, a factious person, and one that had of a long time born an ill talent towards the King; and being animated also by a base fellow, called John a Chamber, a very *boutefeu*, who bare much sway amongst the vulgar and popular, entered into open rebellion; and gave out in flat terms, that they would go against King Henry, and fight with him for the maintenance of their liberties.

When the King was advertised of this new insurrection, being almost a fever that took him every year, after his manner little troubled therewith, he sent Thomas, earl of Surry, whom he had a little before not only released out of the Tower, and pardoned, but also received to special favour, with a competent power against the rebels, who fought with the principal band of them, and defeated them, and took alive John a Chamber their firebrand. As for Sir John Egremond, he fled into Flanders to the lady Margaret of Burgundy, whose palace was the sanctuary and receptacle of all traitors against the King. John a Chamber was executed at York in great state; for he was hanged upon a gibbet raised a stage higher in the midst of a square gallows, as a traitor paramount; and a number of his men that were his chief accomplices, were hanged upon the lower story round about him; and the rest were generally pardoned. Neither did the King himself omit his custom, to be first or second in all his warlike exploits, making good his word, which was usual with him when he heard of rebels, that he desired but to see them. For immediately after he had sent down the earl of Surry, he marched towards them himself in person. And although in his journey he heard news of the victory, yet he went on as far as York, to pacify and settle those countries: and that done, returned to London, leaving the earl of Surry for his lieutenant in the

northern parts, and Sir Richard Tunstal for his principal commissioner, to levy the subsidy, whereof he did not remit a denier.

About the same time that the King lost so good a servant as the earl of Northumberland, he lost likewise a faithful friend and ally of James the third, King of Scotland, by a miserable disaster. For this unfortunate Prince, after a long smother of discontent, and hatred of many of his nobility and people, breaking forth at times into seditions and alterations of court, was at last distressed by them, having taken arms, and surprised the person of Prince James his son, partly by force, partly by threats, that they would otherwise deliver up the kingdom to the King of England, to shadow their rebellion, and to be the titular and painted head of those arms. Whereupon the King, finding himself too weak, sought unto King Henry, as also unto the Pope, and the King of France, to compose those troubles between him and his subjects. The Kings accordingly interposed their mediation in a round and princely manner: not only by way of request and persuasion, but also by way of protestation and menace; declaring, That they thought it to be the common cause of all Kings, if subjects should be suffered to give laws unto their sovereign, and that they would accordingly resent it, and revenge it. But the rebels, that had shaken off the greater yoke of obedience, had likewise cast away the lesser tie of respect. And fury prevailing above fear, made answer; That there was no talking of peace, except the King would resign his crown. Whereupon treaty of accord taking no place, it came to a battle at Bannocksbourn by Strivelin: in which battle the King, transported with wrath and just indignation, inconsiderately fighting and precipitating the charge, before his whole numbers came up to him, was, notwithstanding the contrary express and strait commandment of the Prince his son, slain in the pursuit, being fled to a mill, situate in a field, where the battle was fought.

As for the Pope's ambassy, which was sent by Adrian de Castello an Italian legate, and perhaps as those times

were, might have prevailed more, it came too late for the ambassy, but not for the ambassador. For passing through England and being honourably entertained, and received of King Henry, who ever applied himself with much respect to the see of Rome, he fell into great grace with the King, and great familiarity and friendship with Morton the Chancellor: insomuch as the King taking a liking to him, and finding him to his mind, preferred him to the bishoprick of Hereford, and afterwards to that of Bath and Wells, and employed him in many of his affairs of state, that had relation to Rome. He was a man of great learning, wisdom, and dexterity in business of state; and having not long after ascended to the degree of cardinal, paid the King large tribute of his gratitude, in diligent and judicious advertisement of the occurrents of Italy. Nevertheless, in the end of his time, he was partaker of the conspiracy, which cardinal Alphonso Petrucci and some other cardinals had plotted against the life of Pope Leo. And this offence, in itself so heinous, was yet in him aggravated by the motive thereof, which was not malice or discontent, but an aspiring mind to the papacy. And in this height of impiety there wanted not an intermixture of levity and folly; for that, as was generally believed, he was animated to expect the papacy by a fatal mockery, the prediction of a sooth-sayer, which was, "That one should succeed Pope Leo, whose name should be Adrian, an aged man of mean birth, and of great learning and wisdom." By which character and figure he took himself to be described, though it were fulfilled of Adrian the Fleming, son of a Dutch brewer, cardinal of Tortosa, and preceptor unto Charles the fifth; the same that, not changing his Christian-name, was afterwards called Adrian the sixth.

But these things happened in the year following, which was the fifth of this King. But in the end of the fourth year the King had called again his parliament, not, as it seemeth, for any particular occasion of state: but the former parliament being ended somewhat suddenly, in regard of the preparation for Britain, the King thought he had not remunerated his people

sufficiently with good laws, which evermore was his retribution for treasure. And finding by the insurrection in the north, there was discontentment abroad, in respect of the subsidy, he thought it good to give his subjects yet farther contentment and comfort in that kind. Certainly his times for good commonwealth's laws did excel. So as he may justly be celebrated for the best lawgiver to this nation; after King Edward the first: for his laws, whoso marks them well, are deep, and not vulgar; not made upon the spur of a particular occasion for the present, but out of providence of the future, to make the estate of his people still more and more happy; after the manner of the legislators in ancient and heroical times.

First therefore he made a law, suitable to his own acts and times: for as himself had in his person and marriage made a final concord, in the great suit and title for the crown; so by this law he settled the like peace and quiet in the private possessions of the subjects: ordaining, "That fines thenceforth should be final, to conclude all strangers rights;" and that upon fines levied, and solemnly proclaimed, the subject should have his time of watch for five years after his title accrued; which if he forepassed, his right should be bound for ever after; with some exception nevertheless of minors, married women, and such incompetent persons.

This statute did in effect but restore an ancient statute of the realm, which was itself also made but in affirmance of the common law. The alteration had been by a statute, commonly called the statute of *non-claim*, made in the time of Edward the third. And surely this law was a kind of prognostic of the good peace, which since his time hath, for the most part, continued in this kingdom until this day: for statutes of *non-claim* are fit for times of war, when mens heads are troubled, that they cannot intend their estate; but statutes that quiet possessions, are fittest for times of peace, to extinguish suits and contentions, which is one of the banes of peace.

Another statute was made, of singular policy, for the

population apparently, and, if it be thoroughly considered, for the soldiery and military forces of the realm.

Inclosures at that time began to be more frequent, whereby arable land, which could not be manured without people and families, was turned into pasture, which was easily rid by a few herdsmen; and tenances for years, lives, and at will, whereupon much of the yeomanry lived, were turned into demesns. This bred a decay of people, and, by consequence, a decay of towns, churches, tithes, and the like. The King likewise knew full well, and in no wise forgot, that there ensued withal upon this a decay and diminution of subsidies and taxes; for the more gentlemen, ever the lower books of subsidies. In remedying of this inconvenience the King's wisdom was admirable, and the parliament's at that time. Inclosures they would not forbid, for that had been to forbid the improvement of the patrimony of the kingdom; nor tillage they would not compel, for that was to strive with nature and utility; but they took a course to take away depopulating inclosures and depopulating pasturage, and yet not by that name, or by any imperious express prohibition, but by consequence. The ordinance was, "That all houses of husbandry, that were used with twenty acres of ground and upwards, should be maintained and kept up for ever; together with a competent proportion of land to be used and occupied with them;" and in no wise to be severed from them, as by another statute, made afterwards in his successor's time, was more fully declared: this upon forfeiture to be taken, not by way of popular action, but by seizure of the land itself by the King and lords of the fee, as to half the profits, till the houses and lands were restored. By this means the houses being kept up, did of necessity enforce a dweller; and the proportion of land for occupation being kept up, did of necessity enforce that dweller not to be a beggar or cottager, but a man of some substance, that might keep hinds and servants, and set the plough on going. This did wonderfully concern the might and manner-hood of the kingdom, to have farms as it were of a standard, sufficient to maintain an able body out of penury, and did in effect amortise a great part of the

lands of the kingdom unto the hold and occupation of the yeomanry or middle people, of a condition between gentlemen and cottagers or peasants. Now, how much this did advance the military power of the kingdom, is apparent by the true principles of war and the examples of other kingdoms. For it hath been held by the general opinion of men of best judgment in the wars, howsoever some few have varied, and that it may receive some distinction of case, that the principal strength of an army consisteth in the infantry or foot. And to make good infantry, it requireth men bred, not in a servile or indigent fashion, but in some free and plentiful manner. Therefore if a state run most to noblemen and gentlemen, and that the husbandmen and ploughmen be but as their workfolks and labourers, or else mere cottagers, which are but housed beggars, you may have a good cavalry, but never good stable bands of foot; like to coppice woods, that if you leave in them staddles too thick, they will run to bushes and briers, and have little clean underwood. And this is to be seen in France and Italy, and some other parts abroad, where in effect all is noblesse or peasantry, I speak of people out of towns, and no middle people; and therefore no good forces of foot: insomuch as they are enforced to employ mercenary bands of Switzers, and the like, for their battalions of foot. Whereby also it comes to pass, that those nations have much people, and few soldiers. Whereas the King saw, that contrariwise it would follow, that England, though much less in territory, yet should have infinitely more soldiers of their native forces than those other nations have. Thus did the King secretly sow Hydra's teeth; whereupon, according to the poet's fiction, should rise up armed men for the service of this kingdom.

The King also, having care to make his realm potent, as well by sea as by land, for the better maintenance of the navy, ordained; "That wines and woads from the parts of Gascoign and Languedoc, should not be brought but in English bottoms;" bowing the ancient policy of this estate, from consideration of plenty to consideration of power. For that almost all the ancient statutes incite by all means merchant-strangers,

to bring in all sorts of commodities; having for end cheapness, and not looking to the point of state concerning the naval power.

The King also made a statute in that parliament, monitory and minatory towards justices of peace, that they should duly execute their office, inviting complaints against them, first to their fellow-justices, then to the justices of assize, then to the King or Chancellor: and that a proclamation which he had published of that tenor, should be read in open sessions four times a year, to keep them awake. Meaning also to have his laws executed, and thereby to reap either obedience or forfeitures, wherein towards his latter times he did decline too much to the left hand, he did ordain remedy against the practice that was grown in use, to stop and damp informations upon penal laws, by procuring informations by collusion to be put in by the confederates of the delinquents, to be faintly prosecuted, and let fall at pleasure; and pleading them in bar of the informations, which were prosecuted with effect.

He made also laws for the correction of the mint, and counterfeiting of foreign coin current. And that no payment in gold should be made to any merchant-stranger, the better to keep treasure within the realm, for that gold was the metal that lay in the least room.

He made also statutes for the maintenance of drapery, and the keeping of wools within the realm; and not only so, but for stinting and limiting the prices of cloth, one for the finer, and another for the coarser sort. Which I note, both because it was a rare thing to set prices by statute, especially upon our home commodities; and because of the wise model of this act, not prescribing prices, but stinting them not to exceed a rate; that the clothier might drape accordingly as he might afford.

Divers other good statutes were made that parliament, but these were the principal. And here I do desire those into whose hands this work shall fall, that they do take in good part my long insisting upon the laws that were made in this King's reign. Whereof I have these reasons; both because it was the preeminent,

virtue and merit of this King, to whose memory I do honour: and because it hath some correspondence to my person; but chiefly because, in my judgment, it is some defect even in the best writers of history, that they do not often enough summarily deliver and set down the most memorable laws that passed in the times whereof they writ, being indeed the principal acts of peace. For though they may be had in original books of law themselves; yet that informeth not the judgment of Kings and counsellors, and persons of estate, so well as to see them described, and entered in the table and pourtrait of the times.

About the same time the King had a loan from the city of four thousand pounds; which was double to that they lent before, and was duly and orderly paid back at the day, as the former likewise had been: the King ever choosing rather to borrow too soon, than to pay too late, and so keeping up his credit.

Neither had the King yet cast off his cares and hopes touching Britain, but thought to master the occasion by policy, though his arms had been unfortunate; and to bereave the French King of the fruit of his victory. The sum of his design was, to encourage Maximilian to go on with his suit, for the marriage of Anne, the heir of Britain, and to aid him to the consummation thereof. But the affairs of Maximilian were at that time in great trouble and combustion, by a rebellion of his subjects in Flanders; especially those of Bruges and Gaunt, whereof the town of Bruges, at such time as Maximilian was there in person, had suddenly armed in tumult, and slain some of his principal officers, and taken himself prisoner, and held him in durance, till they had enforced him and some of his counsellors, to take a solemn oath to pardon all their offences, and never to question and revenge the same in time to come. Nevertheless Frederick the Emperor would not suffer this reproach and indignity offered to his son to pass, but made sharp wars upon Flanders, to reclaim and chastise the rebels. But the lord Ravenstein, a principal person about Maximilian, and one that had taken the oath of abolition with his master, pretending the religion thereof, but indeed upon private ambition,

and, as it was thought, instigated and corrupted from France, forsook the Emperor and Maximilian his lord, and made himself an head of the popular party, and seized upon the towns of Ipres and Sluice with both the castles: and forthwith sent to the lord Cordes, governor of Picardy under the French King, to desire aid; and to move him, that he, on the behalf of the French King, would be protector of the united towns, and by force of arms reduce the rest. The lord Cordes was ready to embrace the occasion, which was partly of his own setting, and sent forthwith greater forces than it had been possible for him to raise on the sudden, if he had not looked for such a summons before, in aid of the lord Ravenstein and the Flemings, with instructions to invest the towns between France and Bruges. The French forces besieged a little town called Dixmude, where part of the Flemish forces joined with them. While they lay at this siege, the King of England, upon pretence of the safety of the English pale about Calais, but in truth being loth that Maximilian should become contemptible, and thereby be shaken off by the states of Britain about this marriage, sent over the lord Morley with a thousand men, under the lord D'Aubigny, then deputy of Calais, with secret instructions to aid Maximilian, and to raise the siege of Dixmude. The lord D'Aubigny, giving it out that all was for the strengthening of the English marches, drew out of the garrisons of Calais, Hammes and Guines, to the number of a thousand men more. So that with the fresh succours that came under the conduct of the lord Morley, they made up to the number of two thousand or better. Which forces joining with some companies of Almains, put themselves into Dixmude, not perceived by the enemies; and passing through the town, with some reinforcement from the forces that were in the town, assailed the enemies camp negligently guarded, as being out of fear; where there was a bloody fight, in which the English and their partakers obtained the victory, and slew to the number of eight thousand men, with the loss on the English part of a hundred or thereabouts; amongst whom was the lord Morley. They took also their great ordnance, with much rich spoils, which

they carried to Newport; whence the lord D'Aubigny returned to Calais, leaving the hurt men and some other voluntaries in Newport. But the lord Cordes being at Ipres with a great power of men, thinking to recover the loss and disgrace of the fight at Dixmude, came presently on, and sat down before Newport, and besieged it; and after some days siege, he resolved to try the fortune of an assault. Which he did one day, and succeeded therein so far, that he had taken the principal tower and fort in that city, and planted upon it the French banner. Whence nevertheless they were presently beaten forth by the English, by the help of some fresh succours of archers arriving by good fortune, at the instant, in the haven of Newport. Whereupon the lord Cordes, discouraged, and measuring the new succours, which were small, by the success, which was great, levied his siege. By this means matters grew more exasperate between the two Kings of England and France, for that, in the war of Flanders, the auxiliary forces of French and English were much blooded one against another. Which blood rankled the more, by the vain words of the lord Cordes, that declared himself an open enemy of the English, beyond that that appertained to the present service; making it a common by-word of his, "That he could be content to lie in hell seven years, so he might win Calais from the English."

The King having thus upheld the reputation of Maximilian, advised him now to press on his marriage with Britain to a conclusion. Which Maximilian accordingly did, and so far forth prevailed, both with the young lady and with the principal persons about her, as the marriage was consummated by proxy, with a ceremony at that time in these parts new. For she was not only publicly contracted, but stated, as a bride, and solemnly bedded; and after she was laid, there came in Maximilian's ambassador with letters of procuration, and in the presence of sundry noble personages, men and women, put his leg, stripped naked to the knee, between the espousal sheets; to the end, that that ceremony might be thought to amount to a consummation and actual knowledge. This done, Maximilian, whose property was to leave things

then when they were almost come to perfection, and to end them by imagination: like ill archers, that draw not their arrows up to the head; and who might as easily have bedded the lady himself, as to have made a play and disguise of it, thinking now all assured, neglected for a time his further proceeding, and intended his wars. Mean while the French King, consulting his divines, and finding that this pretended consummation was rather an invention of court, than any ways valid by the laws of the Church, went more really to work, and by secret instruments and cunning agents, as well matrons about the young lady as counsellors, first sought to remove the point of religion and honour out of the mind of the lady herself, wherein there was a double labour. For Maximilian was not only contracted unto the lady, but Maximilian's daughter was likewise contracted to King Charles. So as the marriage halted upon both feet, and was not clear on either side. But for the contract with King Charles, the exception lay plain and fair; for that Maximilian's daughter was under years of consent, and so not bound by law, but a power of disagreement left to either part. But for the contract made by Maximilian with the lady herself, they were harder driven: having nothing to alledge, but that it was done without the consent of her sovereign lord King Charles, whose ward and client she was, and he to her in place of a father; and therefore it was void and of no force for want of such consent. Which defect, they said, though it would not evacuate a marriage after cohabitation and actual consummation; yet it was enough to make void a contract. For as for the pretended consummation, they made sport with it, and said: "That it was an argument that Maximilian was a widower, and a cold wooer, that could content himself to be a bridegroom by deputy, and would not make a little journey to put all out of question." So that the young lady, wrought upon by these reasons, finely instilled by such as the French King, who spared for no rewards or promises, had made on his side; and allured likewise by the present glory and greatness of King Charles, being also a young king, and a bachelor, and loth to make her country the seat of a long and

miserable war; secretly yielded to accept of King Charles. But during this secret treaty with the lady, the better to save it from blasts of opposition and interruption, King Charles resorting to his wonted arts, and thinking to carry the marriage as he had carried the wars, by entertaining the King of England in vain belief, sent a solemn ambassage by Francis lord of Luxemburg, Charles Marignian, and Robert Gagvien, general of the order of the *bons hommes* of the Trinity, to treat a peace and league with the King; accoupling it with an article in the nature of a request, that the French King might with the King's good will, according unto his right of seigniory and tutelage, dispose of the marriage of the young duchess of Britain, as he should think good; offering by a judicial proceeding to make void the marriage of Maximilian by proxy. Also all this while, the better to amuse the world, he did continue in his court and custody the daughter of Maximilian, who formerly had been sent unto him, to be bred and educated in France; not dismissing or renvoying her, but contrariwise professing and giving out strongly, that he meant to proceed with that match. And that for the duchess of Britain, he desired only to preserve his right of seigniory, and to give her in marriage to some such ally as might depend upon him.

When the three commissioners came to the court of England, they delivered their ambassage unto the King, who remitted them to his council; where some days after they had audience, and made their proposition by the prior of the Trinity, who though he were third in place, yet was held the best speaker of them, to this effect.

"My lords, the King our master, the greatest and mightiest King that reigned in France since Charles the Great, whose name he beareth, hath nevertheless thought it no disparagement to his greatness at this time to propound a peace; yea, and to pray a peace with the King of England. For which purpose he hath sent us his commissioners, instructed and enabled with full and ample power to treat and conclude; giving us further in charge, to open in some other business the secrets of his own intentions. These be indeed the precious love to-

kens between great Kings, to communicate one with another the true state of their affairs, and to pass by nice points of honour, which ought not to give law unto affection. This I do assure your lordships; it is not possible for you to imagine the true and cordial love that the King our master beareth to your sovereign, except you were near him as we are. He useth his name with so great respect; he remembereth their first acquaintance at Paris with so great contentment; nay, he never speaks of him, but that presently he falls into discourse of the miseries of great Kings, in that they cannot converse with their equals, but with servants. This affection to your King's person and virtues God hath put into the heart of our master, no doubt for the good of Christendom, and for purposes yet unknown to us all. For other root it cannot have, since it was the same to the earl of Richmond, that it is now to the King of England. This is therefore the first motive that makes our King to desire peace and league with your sovereign: good affection, and somewhat that he finds in his own heart. This affection is also armed with reason of estate. For our King doth in all candour and frankness of dealing open himself unto you; that having an honourable, yea, and an holy purpose, to make a voyage and war in remote parts, he considereth that it will be of no small effect, in point of reputation to his enterprise, if it be known abroad that he is in good peace with all his neighbour princes, and especially with the King of England, whom for good causes he esteemeth most.

"But now, my lords, give me leave to use a few words to remove all scruples and misunderstandings between your sovereign and ours, concerning some late actions; which if they be not cleared, may perhaps hinder this peace. To the end that for matters past neither King may conceive unkindness of other, nor think the other conceiveth unkindness of him. The late actions are two; that of Britain, and that of Flanders. In both which it is true, that the subjects swords of both Kings have encountered and stricken, and the ways and inclinations also of the two Kings, in respect of their confederates and allies, have severed.

"For that of Britain, the King your sovereign knoweth best what hath passed. It was a war of necessity on our master's part. And though the motives of it were sharp and piquant as could be, yet did he make that war rather with an olive-branch, than a laurel-branch in his hand, more desiring peace than victory. Besides, from time to time he sent, as it were, blank papers to your King, to write the conditions of peace. For though both his honour and safety went upon it, yet he thought neither of them too precious to put into the King of England's hands. Neither doth our King on the other side make any unfriendly interpretation of your King's sending of succours to the duke of Britain; for the King knoweth well that many things must be done of Kings for satisfaction of their people; and it is not hard to discern what is a King's own. But this matter of Britain is now, by the act of God, ended and passed; and, as the King hopeth, like the way of a ship in the sea, without leaving any impression in either of the Kings minds; as he is sure for his part it hath not done in his.

"For the action of Flanders: as the former of Britain was a war of necessity, so this was a war of justice; which with a good King is of equal necessity with danger of estate, for else he should leave to be a King. The subjects of Burgundy are subjects in chief to the crown of France, and their duke the homager and vassal of France. They had wont to be good subjects, howsoever Maximilian hath of late distempered them. They fled to the King for justice and deliverance from oppression. Justice he could not deny; purchase he did not seek. This was good for Maximilian, if he could have seen it in people mutinied, to arrest fury, and prevent despair. My lords, it may be this I have said is needless, save that the King our master is tender in any thing, that may but glance upon the friendship of England. The amity between the two Kings, no doubt, stands intire and inviolate; and that their subjects swords have clashed, it is nothing unto the public peace of the crowns; it being a thing very usual in auxiliary forces of the best and straitest confederates to meet and draw

blood in the field. Nay many times there be aids of the same nation on both sides, and yet it is not, for all that, a kingdom divided in itself.

"It resteth, my lords, that I impart unto you a matter, that I know your lordships all will much rejoice to hear; as that which importeth the Christian common weal more, than any action that hath happened of long time. The King our master hath a purpose and determination to make war upon the kingdom of Naples; being now in the possession of a bastard slip of Arragon, but appertaining unto his Majesty by clear and undoubted right; which if he should not by just arms seek to recover, he could neither acquit his honour nor answer it to his people. But his noble and Christian thoughts rest not here: for his resolution and hope is, to make the reconquest of Naples, but as a bridge to transport his forces into Grecia; and not to spare blood or treasure, if it were to the impawning of his crown, and dispeopling of France, till either he hath overthrown the empire of the Ottomans, or taken it in his way to paradise. The King knoweth well, that this is a design that could not arise in the mind of any King, that did not steadfastly look up unto God, whose quarrel this is, and from whom cometh both the will and the deed. But yet is agreeable to the person that he beareth, though unworthy, of the thrice Christian King and the eldest son of the Church. Whereunto he is also invited by the example, in more ancient time, of King Henry the fourth of England, the first renowed King of the House of Lancaster; ancestor, though not progenitor to your King; who had a purpose towards the end of his time, as you know better, to make an expedition into the Holy-land; and by the example also, present before his eyes, of that honourable and religious war which the King of Spain now maketh, and hath almost brought to perfection, for the recovery of the realm of Granada from the Moors. And although this enterprise may seem vast and unmeasured, for the King to attempt that by his own forces, wherein heretofore a conjunction of most of the Christian Princes hath found work enough; yet his Majesty wisely considereth, that sometimes smaller forces being united

under one command, are more effectual in proof, though not so promising in opinion and fame, than much greater forces, variously compounded by associations and leagues, which commonly in a short time after their beginnings turn to dissociations and divisions. But, my Lords, that which is as a voice from heaven, that calleth the King to this enterprise, is a rent at this time in the house of the Ottomans. I do not say but there hath been brother against brother in that house before, but never any that had refuge to the arms of the Christians, as now hath Gemes, brother unto Bajazet that reigneth, the far braver man of the two, the other being between a monk and a philosopher, and better read in the Alcoran and Averroes, than able to wield the sceptre of so warlike an empire. This therefore is the King our master's memorable and heroical resolution for an holy war. And because he carrieth in this the person of a Christian soldier, as well as of a great temporal monarch, he beginneth with humility, aad is content for this cause to beg peace at the hands of other Christian Kings. There remaineth only rather a civil request than any essential part of our negotiation, which the King maketh to the King your sovereign. The King, as all the world knoweth, is lord in chief of the duchy of Britain. The marriage of the heir belongeth to him as guardian. This is a private patrimonial right, and no business of estate: yet nevertheless, to run a fair course with your King, whom he desires to make another himself, and to be one and the same thing with him, his request is, that with the King's favour and consent he may dispose of her in marriage, as he thinketh good, and make void the intruded and pretended marriage of Maximilian, according to justice. This, my lords, is all that I have to say, desiring your pardon for my weakness in the delivery."

Thus did the French ambassadors with great shew of their King's affection, and many sugared words, seek to addulce all matters between the two Kings, having two things for their ends; the one to keep the King quiet till the marriage of Britain was past; and this was but a summer fruit, which they thought was almost ripe, and would be soon gathered. The other was more

lasting; and that was to put him into such a temper, as he might be no disturbance or impediment to the voyage for Italy. The lords of the council were silent; and said only, "That they knew the ambassadors would look for no answer, till they had reported to the King;" and so they rose from council. The king could not well tell what to think of the marriage of Britain. He saw plainly the ambition of the French King was to impatronise himself of the duchy; but he wondered he would bring into his house a litigious marriage, especially considering who was his successor. But weighing one thing with another he gave Britain for lost; but resolved to make his profit of this business of Britain, as a quarrel for war; and that of Naples, as a wrench and mean for peace; being well advertised, how strongly the King was bent upon that action. Having therefore conferred divers times with his council, and keeping himself somewhat close, he gave a direction to the chancellor, for a formal answer to the ambassadors, and that he did in the presence of his council. And after calling the chancellor to him apart, bad him speak in such language, as was fit for a treaty that was to end in a breach; and gave him also a special caveat, that he should not use any words to discourage the voyage of Italy. Soon after the ambassadors were sent for to the council, and the lord chancellor spake to them in this sort:

"My lords ambassadors, I shall make answer, by the King's commandment, unto the eloquent declaration of you, my lord prior, in a brief and plain manner. The King forgetteth not his former love and acquaintance with the King your master: but of this there needeth no repetition. For if it be between them as it was, it is well; if there be any alteration, it is not words that will make it up.

"For the business of Britain, the King findeth it a little strange that the French King maketh mention of it as a matter of well deserving at his hand: for that deserving was no more but to make him his instrument to surprise one of his best confederates. And for the

marriage, the King would not meddle with it, if your master would marry by the book, and not by the sword.

"For that of Flanders, if the subjects of Burgundy had appealed to your King as their chief lord, at first by way of supplication, it might have had a shew of justice: but it was a new form of process, for subjects to imprison their Prince first, and to slay his officers, and then to be complainants. The King saith, That sure he is, when the French King and himself sent to the subjects of Scotland, that had taken arms against their King, they both spake in another stile, and did in princely manner signify their detestation of popular attentates upon the person or authority of Princes. But, my lords ambassadors, the King leaveth these two actions thus: that on the one side he hath not received any manner of satisfaction from you concerning them; and on the other, that he doth not apprehend them so deeply, as in respect of them to refuse to treat of peace, if other things may go hand in hand. As for the war of Naples, and the design against the Turk: the King hath commanded me expressly to say, that he doth wish with all his heart to his good brother the French King, that his fortunes may succeed according to his hopes and honourable intentions. And whensoever he shall hear that he is prepared for Grecia, as your master is pleased now to say that he beggeth a peace of the King, so the King will then beg of him a part in that war.

"But now, my lords ambassadors, I am to propound unto you somewhat on the King's part: the King your master hath taught our King what to say and demand. You say, my lord prior, that your King is resolved to recover his right to Naples, wrongfully detained from him. And that if he should not thus do, he could not acquit his honour, nor answer it to his people. Think, my lords, that the King our master saith the same thing over again to you touching Normandy, Guienne, Anjou, yea, and the kingdom of France itself. I cannot express it better than in your own words. If therefore the French King shall consent, that the King our

master's title to France, at least tribute for the same, be handled in the treaty, the King is content to go on with the rest, otherwise he refuseth to treat."

The ambassadors, being somewhat abashed with this demand, answered in some heat: That they doubted not, but the King their sovereign's sword would be able to maintain his sceptre: and they assured themselves, he neither could nor would yield to any diminution of the crown of France either in territory or regality: but, howsoever, they were too great matters for them to speak of, having no commission. It was replied, that the King looked for no other answer from them, but would forthwith send his own ambassadors to the French King. There was a question also asked at the table; whether the French King would agree to have the disposing of the marriage of Britain with an exception and exclusion, that he should not marry her himself? To which the ambassadors answered; That it was so far out of their King's thoughts, as they had received no instructions touching the same. Thus were the ambassadors dismissed, all save the prior; and were followed immediately by Thomas, earl of Ormond, and Thomas Goldenston, prior of Christ-Church in Canterbury, who were presently sent over into France. In the mean space, Lionel, bishop of Concordia, was sent as nuncio from Pope Alexander the sixth to both Kings, to move a peace between them. For Pope Alexander, finding himself pent and locked up by a league and association of the principal states of Italy, that he could not make his way for the advancement of his own house which he immoderately thirsted after, was desirous to trouble the waters in Italy, that he might fish the better; casting the net, not out of St. Peter's, but out of Borgia's bark. And doubting lest the fears from England might stay the French King's voyage into Italy, dispatched this bishop to compose all matters between the two Kings, if he could: who first repaired to the French King, and finding him well inclined, as he conceived, took on his journey towards England, and found the English ambassadors at Calais, on their way towards the French King. After some conference with them, he was in

honourable manner transported over into England, where he had audience of the King. But notwithstanding he had a good ominous name to have made a peace, nothing followed: for in the mean time the purpose of the French King to marry the duchess, could be no longer dissembled. Wherefore the English ambassadors, finding how things went, took their leave, and returned. And the prior also was warned from hence to depart out of England. Who when he turned his back, more like a pedant than an ambassador, dispersed a bitter libel, in Latin verse, against the King; unto which the King, though he had nothing of a pedant, yet was content to cause an answer to be made in like verse; and that as speaking in his own person, but in a stile of scorn and sport. About this time also was born the King's second son Henry, who afterwards reigned. And soon after followed the solemnization of the marriage between Charles and Anne duchess of Britain, with whom he received the duchy of Britain as her dowry, the daughter of Maximilian being a little before sent home. Which when it came to the ears of Maximilian, who would never believe it till it was done, being ever the principal in deceiving himself, though in this the French King did very handsomely second it, in tumbling it over and over in his thoughts, that he should at one blow, with such a double scorn, be defeated, both of the marriage of his daughter and his own, upon both which he had fixed high imaginations, he lost all patience, and casting off the respects fit to be continued between great Kings, even when their blood is hottest, and most risen, fell to bitter invectives against the person and actions of the French King. And, by how much he was the less able to do, talking so much the more, spake all the injuries he could devise of Charles, saying: That he was the most perfidious man upon the earth, and that he had made a marriage compounded between an advowtry and a rape; which was done, he said, by the just judgment of God; to the end that, the nullity thereof being so apparent to all the world, the race of so unworthy a person might not reign in France. And forthwith he sent ambassadors as well to the King of

England, as to the King of Spain, to incite them to war, and to treat a league offensive against France, promising to concur with great forces of his own. Hereupon the King of England, going nevertheless his own way, called a parliament, it being the seventh year of his reign; and the first day of opening thereof, sitting under his cloth of estate, spake himself unto his lords and commons in this manner:

"My lords, and you the commons, when I purposed to make a war in Britain by my lieutenant, I made declaration thereof to you by my Chancellor. But now that I mean to make a war upon France in person, I will declare it to you myself. That war was to defend another man's right, but this is to recover our own; and that ended by accident, but we hope this shall end in victory.

"The French King troubles the Christian world: that which he hath is not his own, and yet he seeketh more. He hath invested himself of Britain: he maintaineth the rebels in Flanders: and he threateneth Italy. For ourselves, he hath proceeded from dissimulation to neglect; and from neglect to contumely. He hath assailed our confederates: he denieth our tribute: in a word, he seeks war: so did not his father, but sought peace at our hands; and so perhaps will he, when good counsel or time shall make him see as much as his father did.

"Mean while, let us make his ambition our advantage; and let us not stand upon a few crowns of tribute or acknowledgement, but, by the favour of Almighty God, try our right for the crown of France itself; remembering that there hath been a French King prisoner in England, and a King of England crowned in France. Our confederates are not diminished. Burgundy is in a mightier hand than ever, and never more provoked. Britain cannot help us, but it may hurt them. New acquests are more burden than strength. The malecontents of his own kingdom have not been base, popular, nor titulary impostors, but of an higher nature. The King of Spain, doubt ye not, will join with us, not knowing where the French King's ambition will stay.

Our holy father the Pope likes no Tramontanes in Italy. But howsoever it be, this matter of confederates is rather to be thought on than reckoned on. For God forbid but England should be able to get reason of France without a second.

"At the battles of Cressy, Poictiers, Agencourt, we were of ourselves. France hath much people, and few soldiers. They have no stable bands of foot. Some good horse they have; but those are forces which are least fit for a defensive war, where the actions are in the assailant's choice. It was our discords only that lost France; and, by the power of God, it is the good peace which we now enjoy, that will recover it. God hath hitherto blessed my sword. I have, in this time that I have reigned, weeded out my bad subjects, and tried my good. My people and I know one another, which breeds confidence: and if there should be any bad blood left in the kingdom, an honourable foreign war will vent it or purify it. In this great business let me have your advice and aid. If any of you were to make his son knight, you might have aid of your tenants by law. This concerns the knighthood and spurs of the kingdom, whereof I am father; and bound not only to seek to maintain it, but to advance it: but for matter of treasure let it not be taken from the poorest sort, but from those to whom the benefit of the war may redound. France is no wilderness; and I, that profess good husbandry, hope to make the war, after the beginnings, to pay itself. Go together in God's name, and lose no time; for I have called this parliament wholly for this cause."

Thus spake the King; but for all this, though he shewed great forwardness for a war, not only to his parliament and court, but to his privy council likewise, except the two bishops and a few more, yet nevertheless in his secret intentions he had no purpose to go through with any war upon France. But the truth was, that he did but traffic with that war, to make his return in money. He knew well, that France was now entire and at unity with itself, and never so mighty many years before. He saw by the taste that he had of his

forces sent into Britain, that the French knew well enough how to make war with the English, by not putting things to the hazard of a battle, but wearing them by long sieges of towns, and strong fortified encampings. James the third of Scotland, his true friend and confederate, gone; and James the fourth, that had succeeded, wholly at the devotion of France, and ill affected towards him. As for the conjunctions of Ferdinando of Spain and Maximilian, he could make no foundation upon them. For the one had power, and not will; and the other had will, and not power. Besides that, Ferdinando had but newly taken breath from the war with the Moors; and merchanded at this time with France for the restoring of the counties of Russignon and Perpignian, oppignorated to the French. Neither was he out of fear of the discontents and ill blood within the realm; which having used always to repress and appease in person, he was loth they should find him at a distance beyond sea, and engaged in war. Finding therefore the inconveniencies and difficulties in the prosecution of a war, he cast with himself how to compass two things. The one, how by the declaration and inchoation of a war to make his profit. The other, how to come off from the war with saving of his honour. For profit, it was to be made two ways; upon his subjects for the war, and upon his enemies for the peace; like a good merchant, that maketh his gain both upon the commodities exported, and imported back again. For the point of honour, wherein he might suffer for giving over the war; he considered well, that as he could not trust upon the aids of Ferdinando and Maximilian for supports of war; so the impuissance of the one, and the double proceeding of the other, lay fair for him for occasions to accept of peace. These things he did wisely foresee, and did as artificially conduct, whereby all things fell into his lap as he desired.

For as for the parliament, it presently took fire, being affectionate, of old, to the war of France; and desirous afresh to repair the dishonour they thought the King sustained by the loss of Britain. Therefore they advised the King, with great alacrity, to undertake the

war of France. And although the parliament consisted of the first and second nobility, together with principal citizens and townsmen, yet worthily and justly respecting more the people, whose deputies they were, than their own private persons, and finding by the lord Chancellor's speech the King's inclination that way; they consented that commissioners should go forth for the gathering and levying of a benevolence from the more able sort. This tax, called a benevolence, was devised by Edward the fourth, for which he sustained much envy. It was abolished by Richard the third by act of parliament, to ingratiate himself with the people; and it was now revived by the King, but with consent of parliament, for so it was not in the time of King Edward the fourth. But by this way he raised exceeding great sums. Insomuch as the city of London, in those days, contributed nine thousand pounds and better; and that chiefly levied upon the wealthier sort. There is a tradition of a *dilemma*, that bishop Morton the Chancellor used, to raise up the benevolence to higher rates; and some called it his fork, and some his crotch. For he had couched an article in the instructions to the commissioners who were to levy the benevolence; "That if they met with any that were sparing, they should tell them, that they must needs have, because they laid up: and if they were spenders, they must needs have, because it was seen in their port and manner of living." So neither kind came amiss.

This parliament was merely a parliament of war; for it was in substance but a declaration of war against France and Scotland, with some statutes conducing thereunto: as, the severe punishment of mort-pays, and keeping back of soldiers wages in captains; the like severity for the departure of soldiers without licence; strengthening of the common law in favour of protections for those that were in the King's service; and the setting the gate open or wide for men to sell or mortgage their lands, without fines for alienation, to furnish themselves with money for the war; and lastly, the voiding of all Scottish men out of England. There was also a statute for the dispersing of the standard of

the exchequer throughout England; thereby to size weights, and measures; and two or three more of less importance.

After the parliament was broken up, which lasted not long, the King went on with his preparations for the war of France; yet neglected not in the mean time the affairs of Maximilian for the quieting of Flanders, and restoring him to his authority amongst his subjects. For at that time the lord of Ravenstein, being not only a subject rebelled, but a servant revolted, and so much the more malicious and violent, by the aid of Bruges and Gaunt, had taken the town and both the castles of Sluice; as we said before: and having, by the commodity of the haven, gotten together certain ships and barks, fell to a kind of piratical trade; robbing and spoiling, and taking prisoners the ships and vessels of all nations, that passed along that coast towards the mart of Antwerp, or into any part of Brabant, Zealand, or Friezeland; being ever well victualled from Picardy, besides the commodity of victuals from Sluice, and the country adjacent, and the avails of his own prizes. The French assisted him still underhand; and he likewise, as all men do that have been of both sides, thought himself not safe, except he depended upon a third person.

There was a small town some two miles from Bruges towards the sea, called Dam; which was a fort and approach to Bruges, and had a relation also to Sluice.

This town the King of the Romans had attempted often, not for any worth of the town in itself, but because it might choke Bruges, and cut it off from the sea, and ever failed. But therewith the Duke of Saxony came down into Flanders, taking upon him the person of an umpire, to compose things between Maximilian and his subjects; but being, indeed, fast and assured to Maximilian. Upon this pretext of neutrality and treaty, he repaired to Bruges; desiring of the states of Bruges, to enter peaceably into their town, with a retinue of some number of men of arms fit for his estate; being somewhat the more, as he said, the better to guard him in a country that was up in arms: and bearing them in hand, that he was to communicate

with them of divers matters of great importance for their good. Which having obtained of them, he sent his carriages and harbingers before him, to provide his lodging. So that his men of war entered the city in good array, but in peaceable manner, and he followed. They that went before inquired still for inns and lodgings, as if they would have rested there all night; and so went on till they came to the gate that leadeth directly towards Dam: and they of Bruges only gazed upon them, and gave them passage. The captains and inhabitants of Dam also suspected no harm from any that passed through Bruges; and discovering forces afar off supposed they had been some succours that were come from their friends, knowing some dangers towards them. And so perceiving nothing but well till it was too late, suffered them to enter their town. By which kind of slight, rather than stratagem, the town of Dam was taken, and the town of Bruges shrewdly blocked up, whereby they took great discouragement.

The duke of Saxony, having won the town of Dam, sent immediately to the King to let him know, that it was Sluice chiefly, and the lord Ravenstein that kept the rebellion of Flanders in life: and that if it pleased the King to besiege it by sea, he also would besiege it by land, and so cut out the core of those wars.

The King, willing to uphold the authority of Maximilian, the better to hold France in awe, and being likewise sued unto by his merchants, for that the seas were much infested by the barks of the lord Ravenstein; sent straightways Sir Edward Poynings, a valiant man, and of good service, with twelve ships, well furnished with soldiers and artillery, to clear the seas, and to besiege Sluice on that part. The Englishmen did not only coop up the lord Ravenstein, that he stirred not, and likewise hold in strait siege the maritime part of the town, but also assailed one of the castles, and renewed the assault so for twenty days space, issuing still out of their ships at the ebb, as they made great slaughter of them of the castle; who continually fought with them to repulse them, though of the English part also

were slain a brother of the earl of Oxford's, and some fifty more.

But the siege still continuing more and more strait, and both the castles, which were the principal strength of the town, being distressed, the one by the duke of Saxony, and the other by the English; and a bridge of boats, which the lord of Ravenstein had made between both castles, whereby succours and relief might pass from the one to the other, being on a night set on fire by the English; he despairing to hold the town, yielded, at the last, the castles to the English, and the town to the duke of Saxony by composition. Which done, the duke of Saxony and Sir Edward Poynings treated with them of Bruges, to submit themselves to Maximilian their lord; which after some time they did, paying in some good part, the charge of the war, whereby the Almains and foreign succours were dismissed. The example of Bruges other of the revolted towns followed; so that Maximilian grew to be out of danger, but, as his manner was to handle matters, never out of necessity. And Sir Edward Poynings, after he had continued at Sluice some good while till all things were settled, returned unto the King, being then before Boloign.

Somewhat about this time came letters from Ferdinando and Isabella, King and Queen of Spain; signifying the final conquest of Granada from the Moors; which action, in itself so worthy, King Ferdinando, whose manner was never to lose any virtue for the shewing, had expressed and displayed in his letters at large, with all the particularities and religious punctos and ceremonies, that were observed in the reception of that city and kingdom: shewing amongst other things, that the King would not by any means in person enter the city, until he had at first aloof seen the cross set up upon the greater tower of Granada, whereby it became Christian ground. That likewise, before he would enter, he did homage to God above, pronouncing by an herald from the height of that tower, that he did acknowledge to have recovered that kingdom by the help of God Almighty, and the glorious Virgin, and the

virtuous Apostle Saint James, and the holy father Innocent the eighth, together with the aids and services of his prelates, nobles, and commons. That yet he stirred not from his camp, till he had seen a little army of martyrs, to the number of seven hundred and more Christians, that had lived in bonds and servitude, as slaves to the Moors, pass before his eyes, singing a psalm for their redemption; and that he had given tribute unto God, by alms and relief extended to them all, for his admission into the city. These things were in the letters, with many more ceremonies of a kind of holy ostentation.

The King, ever willing to put himself into the consort or quire of all religious actions, and naturally affecting much the King of Spain, as far as one King can affect another, partly for his virtues, and partly for a counterpoise to France; upon the receipt of these letters sent all his nobles and prelates that were about the court, together with the mayor and aldermen of London, in great solemnity to the church of Paul; there to hear a declaration from the lord Chancellor, now cardinal. When they were assembled, the cardinal, standing upon the uppermost step, or half-pace, before the quire, and all the nobles, prelates, and governors of the city at the foot of the stairs, made a speech to them; letting them know, that they were assembled in that consecrated place, to sing unto God a new song. For that, said he, these many years the Christians have not gained new ground or territory upon the Infidels, nor enlarged and set farther the bounds of the Christian world. But this is now done by the prowess and devotion of Ferdinando, and Isabella, Kings of Spain; who have, to their immortal honour, recovered the great and rich kingdom of Granada, and the populous and mighty city of the same name, from the Moors, having been in possession thereof by the space of seven hundred years and more: for which this assembly and all Christians are to render laud and thanks unto God, and to celebrate this noble act of the King of Spain; who in this is not only victorious but apostolical, in the gaining of new provinces to the Christian faith. And the rather,

for that this victory and conquest is obtained without much effusion of blood. Whereby it is to be hoped, that there shall be gained not only new territory, but infinite souls to the Church of Christ, whom the Almighty, as it seems, would have live to be converted. Herewithal he did relate some of the most memorable particulars of the war and victory. And after his speech ended, the whole assembly went solemnly in procession, and *Te Deum* was sung.

Immediately after the solemnity, the King kept his May-day at his palace of Shene, now Richmond. Where, to warm the blood of his nobility and gallants against the war, he kept great triumphs of justing and tourney, during all that month. In which space it so fell out, that Sir James Parker, and Hugh Vaughan, one of the King's gentlemen ushers, having had a controversy touching certain arms that the king at arms had given Vaughan, were appointed to run some courses one against another. And by accident of a faulty helmet that Parker had on, he was stricken into the mouth at the first course, so that his tongue was born unto the hinder part of his head, in such sort that he died presently upon the place. Which, because of the controversy precedent, and the death that followed, was accounted amongst the vulgar as a combat or trial of right. The King towards the end of this summer, having put his forces, wherewith he meant to invade France, in readiness, but so as they were not yet met or mustered together, sent Urswick, now made his almoner, and Sir John Risley, to Maximilian, to let him know that he was in arms, ready to pass the seas into France, and did but expect to hear from him, when and where he did appoint to join with him, according to his promise made unto him by Countebalt his ambassador.

The English ambassadors having repaired to Maximilian, did find his power and promise at a very great distance; he being utterly unprovided of men, money, and arms, for any such enterprise. For Maximilian, having neither wing to fly on, for that his patrimony of Austria was not in his hands, his father being then

living, and on the other side, his matrimonial territories of Flanders being partly in dowry to his mother-in-law, and partly not serviceable, in respect of the late rebellions; was thereby destitute of means to enter into war. The ambassadors saw this well, but wisely thought fit to advertise the King thereof, rather than to return themselves, till the King's farther pleasure were known: the rather, for that Maximilian himself spake as great as ever he did before, and entertained them with dilatory answers: so as the formal part of their ambassage might well warrant and require their farther stay. The King hereupon, who doubted as much before, and saw through his business from the beginning, wrote back to the ambassadors, commending their discretion in not returning, and willing them to keep the state wherein they found Maximilian as a secret, till they heard farther from him: and meanwhile went on with his voyage royal for France, suppressing for a time this advertisement touching Maximilian's poverty and disability.

By this time was drawn together a great and puissant army into the city of London; in which were Thomas marquis Dorset, Thomas earl of Arundel, Thomas earl of Derby, George earl of Shrewsbury, Edmond earl of Suffolk, Edward earl of Devonshire, George earl of Kent, the earl of Essex, Thomas earl of Ormond, with a great number of barons, knights, and principal gentlemen; and amongst them Richard Thomas, much noted for the brave troops that he brought out of Wales. The army rising in the whole to the number of five and twenty thousand foot, and sixteen hundred horse; over which the King, constant in his accustomed trust and employment, made Jasper duke of Bedford, and John earl of Oxford, generals under his own person. The ninth of September, in the eighth year of his reign, he departed from Greenwich towards the sea; all men wondering that he took that season, being so near winter, to begin the war; and some thereupon gathering, it was a sign that the war would not be long. Nevertheless the King gave out the contrary, thus: "That he intending not to make a summer business of

it, but a resolute war, without term prefixed, until he had recovered France, it skilled not much when he began it, especially having Calais at his back, where he might winter, if the season of the war so required." The sixth of October he embarked at Sandwich; and the same day took land at Calais, which was the rendezvous, where all his forces were assigned to meet. But in this his journey towards the sea-side, wherein, for the cause that we shall now speak of, he hovered so much the longer, he had received letters from the lord Cordes, who the hotter he was against the English in time of war, had the more credit in a negociation of peace; and besides was held a man open and of good faith. In which letters there was made an overture of peace from the French King, with such conditions as were somewhat to the King's taste; but this was carried at the first with wonderful secrecy. The King was no sooner come to Calais, but the calm winds of peace began to blow. For first, the English ambassadors returned out of Flanders from Maximilian, and certified the King, that he was not to hope for any aid from Maximilian, for that he was altogether unprovided. His will was good, but he lacked money. And this was made known and spread through the army. And although the English were therewithal nothing dismayed, and that it be the manner of soldiers upon bad news to speak the more bravely; yet nevertheless it was a kind of preparative to a peace. Instantly in the neck of this, as the King had laid it, came news that Ferdinando and Isabella, Kings of Spain, had concluded a peace with King Charles; and that Charles had restored unto them the counties of Russignon and Perpignian, which formerly were mortaged by John, King of Arragon, Ferdinando's father, unto France for three hundred thousand crowns: which debt was also upon this peace by Charles clearly released. This came also handsomely to put on the peace; both because so potent a confederate was fallen off, and because it was a fair example of a peace bought; so as the King should not be the sole merchant in this peace. Upon these airs of peace, the King was content that the bishop of Exeter, and

the lord d'Aubigny, governor of Calais, should give a meeting unto the lord Cordes, for the treaty of a peace. But himself nevertheless and his army, the fifteenth of October, removed from Calais, and in four days march sat him down before Boloign.

During this siege of Boloign, which continued near a month, there passed no memorable action, nor accident of war; only Sir John Savage, a valiant captain, was slain, riding about the walls of the town, to take a view. The town was both well fortified and well manned; yet it was distressed, and ready for an assault. Which, if it had been given, as was thought, would have cost much blood; but yet the town would have been carried in the end. Mean while a peace was concluded by the commissioners, to continue for both the Kings lives. Where there was no article of importance; being in effect rather a bargain than a treaty. For all things remained as they were, save that there should be paid to the King seven hundred forty-five thousand ducats in present, for his charges in that journey; and five and twenty thousand crowns yearly, for his charges sustained in the aid of the Britons. For which annual, though he had Maximilian bound before for those charges; yet he counted the alteration of the hand as much as the principal debt. And besides, it was left somewhat indefinitely when it should determine or expire; which made the English esteem it as a tribute carried under fair terms. And the truth is, it was paid both to the King and to his son King Henry the eighth, longer than it could continue upon any computation of charges. There was also assigned by the French King, unto all the King's principal counsellors, great pensions, besides rich gifts for the present. Which whether the King did permit, to save his own purse from rewards, or to communicate the envy of a business, that was displeasing to his people, was diversely interpreted. For certainly the King had no great fancy to own this peace. And therefore a little before it was concluded, he had underhand procured some of his best captains and men of war to advise him to a peace, under their hands, in an earnest manner, in the nature of a supplication. But

the truth is, this peace was welcome to both Kings. To Charles, for that it assured unto him the possession of Britain, and freed the enterprise of Naples. To Henry, for that it filled his coffers; and that he foresaw at that time a storm of inward troubles coming upon him, which presently after brake forth. But it gave no less discontent to the nobility and principal persons of the army, who had many of them sold or engaged their estates upon the hopes of the war. They stuck not to say, "That the King cared not to plume his nobility and people, to feather himself." And some made themselves merry with that the King had said in parliament; "That after the war was once begun, he doubted not but to make it pay itself;" saying, he had kept promise.

Having risen from Boloign, he went to Calais, where he stayed some time. From whence also he wrote letters, which was a courtesy that he sometimes used, to the mayor of London, and the aldermen his brethren; half bragging what great sums he had obtained for the peace; knowing well that full coffers of the King is ever good news to London. And better news it would have been, if their benevolence had been but a loan. And upon the seventeenth of December following he returned to Westminster, where he kept his Christmas.

Soon after the King's return, he sent the order of the garter to Alphonso duke of Calabria, eldest son to Ferdinando King of Naples. An honour sought by that Prince to hold him up in the eyes of the Italians; who expecting the arms of Charles, made great account of the amity of England for a bridle to France. It was received by Alphonso with all the ceremony and pomp that could be devised, as things use to be carried that are intended for opinion. It was sent by Urswick; upon whom the King bestowed this ambassage to help him after many dry employments.

At this time the King began again to be haunted with spirits, by the magic and curious arts of the lady Margaret; who raised up the ghost of Richard duke of York, second son to King Edward the fourth, to walk and vex the King. This was a finer counterfeit stone

than Lambert Simnel; better done, and worn upon greater hands; being graced after with the wearing of a King of France, and a King of Scotland, not of a duchess of Burgundy only. And for Simnel, there was not much in him, more than that he was a handsome boy, and did not shame his robes. But this youth, of whom we are now to speak, was such a mercurial, as the like hath seldom been known; and could make his own part, if at any time he chanced to be out. Wherefore this being one of the strangest examples of a personation that ever was in elder or later times; it deserveth to be discovered, and related at the full. Although the King's manner of shewing things by pieces, and by dark lights, hath so muffled it, that it hath left it almost as a mystery to this day.

The lady Margaret, whom the King's friends called Juno, because she was to him as Juno was to Æneas, stirring both heaven and hell to do him mischief, for a foundation of her particular practices against him, did continually, by all means possible, nourish, maintain, and divulge the flying opinion, that Richard duke of York, second son to Edward the fourth, was not murdered in the Tower, as was given out, but saved alive. For that those who were employed in that barbarous fact, having destroyed the elder brother, were stricken with remorse and compassion towards the younger, and set him privily at liberty to seek his fortune. This lure she cast abroad, thinking that this fame and belief, together with the fresh example of Lambert Simnel, would draw at one time or other some birds to strike upon it. She used likewise a farther diligence, not committing all to chance; for she had some secret espials, like to the Turks commissioners for children of tribute, to look abroad for handsome and graceful youths, to make Plantagenets, and dukes of York. At the last she did light on one, in whom all things met, as one would wish, to serve her turn for a counterfeit of Richard duke of York.

This was Perkin Warbeck, whose adventures we shall now describe. For first, the years agreed well. Secondly, he was a youth of fine favour and shape. But more than that, he had such a crafty and bewitching fashion, both

to move pity, and to induce belief, as was like a kind of fascination and inchantment to those that saw him or heard him. Thirdly, he had been from his childhood such a wanderer, or, as the King called him, such a landloper, as it was extreme hard to hunt out his nest and parents. Neither again could any man, by company or conversing with him, be able to say or detect well what he was, he did so flit from place to place. Lastly, there was a circumstance, which is mentioned by one that wrote in the same time, that is very likely to have made somewhat to the matter: which is, that King Edward the fourth was his godfather. Which as it is somewhat suspicious for a wanton prince to become gossip in so mean a house, and might make a man think, that he might indeed have in him some base blood of the house of York; so at the least, though that were not, it might give the occasion to the boy, in being called King Edward's godson, or perhaps in sport King Edward's son, to entertain such thoughts into his head. For tutor he had none, for ought that appears, as Lambert Simnel had, until he came unto the lady Margaret who instructed him.

Thus therefore it came to pass: There was a townsman of Tournay, that had born office in that town, whose name was John Osbeck, a convert Jew, married to Catherine de Faro, whose business drew him to live for a time with his wife at London in King Edward the fourth's days. During which time he had a son by her, and being known in court, the King either out of a religious nobleness, because he was a convert, or upon some private acquaintance, did him the honour to be godfather to his child, and named him Peter. But afterwards, proving a dainty and effeminate youth, he was commonly called by the diminutive of his name, Peterkin, or Perkin. For as for the name of Warbeck, it was given him when they did but guess at it, before examinations had been taken. But yet he had been so much talked on by that name, as it stuck by him after his true name of Osbeck was known. While he was a young child, his parents returned with him to Tournay. Then was he placed in a house of a kinsman of his, called John Sten-

beck, at Antwerp, and so roved up and down between Antwerp and Tournay, and other towns of Flanders, for a good time; living much in English company, and having the English tongue perfect. In which time, being grown a comely youth, he was brought by some of the espials of the lady Margaret into her presence. Who viewing him well, and seeing that he had a face and personage that would bear a noble fortune; and finding him otherwise of a fine spirit and winning behaviour; thought she had now found a curious piece of marble to carve out an image of the duke of York. She kept him by her a great while, but with extreme secrecy. The while she instructed him by many cabinet conferences. First, in princely behaviour and gesture; teaching him how he should keep state, and yet with a modest sense of his misfortunes. Then she informed him of all the circumstances and particulars that concerned the person of Richard duke of York, which he was to act; describing unto him the personages, lineaments, and features of the King and Queen his pretended parents; and of his brother, and sisters, and divers others, that were nearest him in his childhood; together with all passages, some secret, some common, that were fit for a child's memory, until the death of King Edward. Then she added the particulars of the time from the King's death, until he and his brother were committed to the Tower, as well during the time he was abroad, as while he was in sanctuary. As for the times while he was in the Tower, and the manner of his brother's death, and his own escape; she knew they were things that a very few could controul. And therefore she taught him only to tell a smooth and likely tale of those matters; warning him not to vary from it. It was agreed likewise between them, what account he should give of his peregrination abroad, intermixing many things which were true, and such as they knew others could testify, for the credit of the rest; but still making them to hang together with the part he was to play. She taught him likewise how to avoid sundry captious and tempting questions, which were like to be asked of him. But in this she found him of himself so nimble and shifting,

as she trusted much to his own wit and readiness; and therefore laboured the less in it. Lastly, she raised his thoughts with some present rewards, and farther promises; setting before him chiefly the glory and fortune of a crown if things went well, and a sure refuge to her court, if the worst should fall. After such time as she thought he was perfect in his lesson, she began to cast with herself from what coast this blazing star should first appear, and at what time it must be upon the horizon of Ireland; for there had the like meteor strong influence before. The time of the apparition to be when the King should be engaged into a war with France. But well she knew, that whatsoever should come from her, would be held suspected. And therefore, if he should go out of Flanders immediately into Ireland, she might be thought to have some hand in it. And besides, the time was not yet ripe; for that the two Kings were then upon terms of peace. Therefore she wheeled about; and to put all suspicion afar off, and loth to keep him any longer by her, for that she knew secrets are not long-lived, she sent him unknown into Portugal with the lady Brampton, an English lady, that embarked for Portugal at that time; with some *privado* of her own, to have an eye upon him, and there he was to remain, and to expect her farther directions. In the mean time she omitted not to prepare things for his better welcome and accepting, not only in the kingdom of Ireland, but in the court of France. He continued in Portugal about a year; and by that time the King of England called his parliament, as hath been said, and declared open war against France. Now did the sign reign, and the constellation was come, under which Perkin should appear. And therefore he was straight sent unto by the duchess to go for Ireland, according to the first designment. In Ireland he did arrive at the town of Cork. When he was thither come, his own tale was, when he made his confession afterwards, that the Irishmen, finding him in some good clothes, came flocking about him, and bare him down that he was the duke of Clarence that had been there before. And after that he was Richard the third's

base son. And lastly, that he was Richard duke of York, second son to Edward the fourth. But that he for his part, renounced all these things, and offered to swear upon the holy Evangelists, that he was no such man; till at last they forced it upon him, and bad him fear nothing, and so forth. But the truth is, that immediately upon his coming into Ireland, he took upon him the said person of the duke of York, and drew unto him complices and partakers by all the means he could devise. Insomuch as he wrote his letters unto the earls of Desmond and Kildare, to come in to his aid, and be of his party; the originals of which letters are yet extant.

Somewhat before this time, the duchess had also gained unto her a near servant of King Henry's own, one Stephen Frion, his secretary for the French tongue; an active man, but turbulent and discontented. This Frion had fled over to Charles, the French King, and put himself into his service, at such time as he began to be in open enmity with the King. Now King Charles, when he understood of the person and attempts of Perkin, ready of himself to embrace all advantages against the King of England, instigated by Frion, and formerly prepared by the lady Margaret, forthwith dispatched one Lucas and this Frion, in the nature of ambassadors to Perkin, to advertise him of the King's good inclination to him, and that he was resolved to aid him to recover his right against King Henry, an usurper of England, and an enemy of France; and wished him to come over unto him at Paris. Perkin thought himself in heaven now that he was invited by so great a King in so honourable a manner. And imparting unto his friends in Ireland for their encouragement, how fortune called him, and what great hopes he had, sailed presently into France. When he was come to the court of France, the King received him with great honour; saluted, and stiled him by the name of the duke of York; lodged him, and accommodated him in great state. And the better to give him the representation and the countenance of a prince, assigned him a guard for his person, whereof the lord Congresall was captain. The courtiers likewise,

though it be ill mocking with the French, applied themselves to their King's bent, seeing there was reason of state for it. At the same there repaired unto Perkin divers Englishmen of quality; Sir George Neville, Sir John Taylor, and about one hundred more; and amongst the rest, this Stephen Frion, of whom we spake, who followed his fortune both then and for a long time after, and was indeed his principal counsellor and instrument in all his proceedings. But all this on the French King's part was but a trick, the better to bow King Henry to peace. And therefore upon the first grain of incense, that was sacrificed upon the altar of peace at Boloign, Perkin was smoked away. Yet would not the French King deliver him up to King Henry, as he was laboured to do, for his honour's sake, but warned him away and dismissed him. And Perkin on his part was as ready to be gone, doubting he might be caught up under-hand. He therefore took his way into Flanders, unto the duchess of Burgundy; pretending that having been variously tossed by fortune, he directed his course thither as to a safe harbour: no ways taking knowledge that he had ever been there before, but as if that had been his first address. The duchess, on the other part, made it as new and strange to see him; pretending, at the first, that she was taught and made wise by the example of Lambert Simnel, how she did admit of any counterfeit stuff; though even in that, she said, she was not fully satisfied. She pretended at the first, and that was ever in the presence of others, to pose him and sift him, thereby to try whether he were indeed the very duke of York or no. But seeming to receive full satisfaction by his answers, she then feigned herself to be transported with a kind of astonishment, mixt of joy and wonder, at his miraculous deliverance; receiving him as if he were risen from death to life: and inferring, that God, who had in such wonderful manner preserved him from death, did likewise reserve him for some great and prosperous fortune. As for his dismission out of France, they interpreted it not, as if he were detected or neglected for a counterfeit deceiver; but contrariwise, that it did shew manifestly unto the world, that he was some great matter; for that it was his

abandoning that, in effect, made the peace; being no more but the sacrificing of a poor distressed Prince unto the utility and ambition of two mighty monarchs. Neither was Perkin, for his part, wanting to himself, either in gracious or princely behaviour, or in ready and apposite answers, or in contenting and caressing those that did apply themselves unto him, or in pretty scorn and disdain to those that seemed to doubt of him; but in all things did notably acquit himself; insomuch as it was generally believed, as well amongst great persons, as amongst the vulgar, that he was indeed duke Richard. Nay, himself, with long and continued counterfeiting, and with oft telling a lye, was turned by habit almost into the thing he seemed to be; and from a liar to a believer. The duchess therefore, as in a case out of doubt, did him all princely honour, calling him always by the name of her nephew, and giving him the delicate title of the white rose of England: and appointed him a guard of thirty persons, halberdiers, clad in a party-coloured livery of murrey and blue, to attend his person. Her court likewise, and generally the Dutch and strangers, in their usage towards him, expressed no less respect.

The news hereof came blazing and thundering over into England, that the duke of York was sure alive. As for the name of Perkin Warbeck, it was not at that time come to light, but all the news ran upon the duke of York; that he had been entertained in Ireland, bought and sold in France, and was now plainly avowed, and in great honour in Flanders. These fames took hold of divers; in some upon discontent; in some upon ambition; in some upon levity and desire of change; in some few upon conscience and belief; but in most upon simplicity; and in divers out of dependence upon some of the better sort, who did in secret favour and nourish these bruits. And it was not long ere these rumours of novelty had begotten others of scandal and murmur against the King and his government, taxing him for a great taxer of his people, and discountenancer of his nobility. The loss of Britain, and the peace with France, were not forgotten. But chiefly they fell upon the wrong that he did his queen, in that he did not reign in her right. Wherefore

they said, that God had now brought to light a masculine branch of the house of York, that would not be at his courtesy, howsoever he did depress his poor lady. And yet, as it fareth in the things which are current with the multitude, and which they affect, these fames grew so general, as the authors were lost in the generality of speakers. They being like running weeds that have no certain root; or like footings up and down impossible to be traced; but after a while these ill humours drew to an head, and settled secretly in some eminent persons; which were, Sir William Stanley, lord chamberlain of the King's houshold, the lord Fitzwalter, Sir Simon Mountfort, and Sir Thomas Thwaites. These entered into a secret conspiracy to favour duke Richard's title. Nevertheless none engaged their fortunes in this business openly, but two: Sir Robert Clifford, and master William Barley, who sailed over into Flanders, sent indeed from the party of the conspirators here, to understand the truth of those things that passed there, and not without some help of moneys from hence; provisionally to be delivered, if they found and were satisfied, that there was truth in these pretences. The person of Sir Robert Clifford, being a gentleman of fame and family, was extremely welcome to the lady Margaret. Who after she had conference with him, brought him to the sight of Perkin, with whom he had often speech and discourse. So that in the end, won either by the duchess to affect, or by Perkin to believe, he wrote back into England, that he knew the person of Richard duke of York, as well as he knew his own, and that this young man was undoubtedly he. By this means all things grew prepared to revolt and sedition here, and the conspiracy came to have a correspondence between Flanders and England.

The King on his part was not asleep; but to arm or levy forces yet, he thought would but shew fear, and do this idol too much worship. Nevertheless the ports he did shut up, or at least kept a watch on them, that none should pass to or fro that was suspected: but for the rest, he chose to work by countermine. His purposes were two; the one to lay open the abuse; the other,

to break the knot of the conspirators. To detect the abuse, there were but two ways; the first, to make it manifest to the world that the duke of York was indeed murdered; the other to prove that were he dead or alive, yet Perkin was a counterfeit. For the first, thus it stood. There were but four persons that could speak upon knowledge to the murder of the duke of York; Sir James Tirrel, the employed man from King Richard, John Dighton and Miles Forrest his servants, the two butchers or tormentors, and the priest of the Tower that buried them. Of which four, Miles Forrest and the priest were dead, and there remained alive only Sir James Tirrel and John Dighton. These two the King caused to be committed to the Tower, and examined touching the manner of the death of the two innocent princes. They agreed both in a tale, as the King gave out to this effect: That King Richard having directed his warrant for the putting of them to death to Brackenbury, the lieutenant of the Tower, was by him refused. Whereupon the King directed his warrant to Sir James Tirrel, to receive the keys of the Tower from the lieutenant, for the space of a night, for the King's special service. That Sir James Tirrel accordingly repaired to the Tower by night, attended by his two servants afore-named, whom he had chosen for that purpose. That himself stood at the stair-foot, and sent these two villains to execute the murder. That they smothered them in their bed; and, that done, called up their master to see their naked dead bodies, which they had laid forth. That they were buried under the stairs, and some stones cast upon them. That when the report was made to King Richard, that his will was done, he gave Sir James Tirrel great thanks, but took exception to the place of their burial, being too base for them that were King's children. Whereupon, another night, by the King's warrant renewed, their bodies were removed by the priest of the Tower, and buried by him in some place, which, by means of the priest's death soon after, could not be known. Thus much was then delivered abroad, to be the effect of those examinations: but the King, nevertheless, made no use of them in any

of his declarations; whereby, as it seems, those examinations left the business somewhat perplexed. And as for Sir James Tirrel, he was soon after beheaded in the Tower-yard for other matters of treason. But John Dighton, who it seemeth, spake best for the King, was forthwith set at liberty, and was the principal means of divulging this tradition. Therefore this kind of proof being left so naked, the King used the more diligence in the latter, for the tracing of Perkin. To this purpose he sent abroad into several parts, and especially into Flanders, divers secret and nimble scouts and spies some feigning themselves to fly over unto Perkin, and to adhere unto him; and some under other pretences, to learn, search, and discover all the circumstances and particulars of Perkin's parents, birth, person, travels up and down; and in brief, to have a journal, as it were, of his life and doings. He furnished these his employed men liberally with money, to draw on and reward intelligences; giving them also in charge, to advertise continually what they found, and nevertheless still to go on. And ever as one advertisement and discovery called up another, he employed other new men, where the business did require it. Others he employed in a more special nature and trust, to be his pioneers in the main countermine. These were directed to insinuate themselves into the familiarity and confidence of the principal persons of the party in Flanders, and so to learn what associates they had, and correspondents, either here in England, or abroad; and how far every one engaged, and what new ones they meant afterwards to try or board. And as this for the persons, so for the actions themselves, to discover to the bottom, as they could, the utmost of Perkin's and the conspirators, their intentions, hopes, and practices. These latter best-be-trust spies had some of them farther instructions, to practise and draw off the best friends and servants of Perkin, by making remonstrance to them, how weakly his enterprise and hopes were built, and with how prudent and potent a King they had to deal; and to reconcile them to the King, with promise of pardon and good conditions of reward. And, above the rest, to assail, sap,

and work into the constancy of Sir Robert Clifford; and to win him, if they could, being the man that knew most of their secrets, and who, being won away, would most appall and discourage the rest, and in a manner break the knot.

There is a strange tradition; that the King being lost in a wood of suspicions, and not knowing whom to trust, had both intelligence with the confessors and chaplains of divers great men; and for the better credit of his espials abroad with the contrary side, did use to have them cursed at Paul's, by name, amongst the bead-roll of the King's enemies, according to the custom of those times. These espials plied their charge so roundly, as the King had an anatomy of Perkin alive; and was likewise well informed of the particular correspondent conspirators in England, and many other mysteries were revealed; and Sir Robert Clifford in especial won to be assured to the King, and industrious and officious for his service. The King therefore receiving a rich return of his diligence, and great satisfaction touching a number of particulars, first divulged and spread abroad the imposture and juggling of Perkin's person and travels, with the circumstances thereof, throughout the realm; not by proclamation, because things were yet in examination, and so might receive the more or the less, but by court-fames, which commonly print better than printed proclamations. Then thought he it also time to send an ambassage unto archduke Philip into Flanders, for the abandoning and dismissing of Perkin. Herein he employed Sir Edward Poynings, and Sir William Warham doctor of the canon law. The archduke was then young, and governed by his council; before whom the ambassadors had audience: and Dr. Warham spake in this manner:

"My lords, the King our master is very sorry, that England and your country here of Flanders, having been counted as man and wife for so long time; now this country of all others should be the stage, where a base counterfeit should play the part of a King of England: not only to his grace's disquiet and dishonour, but to the scorn and reproach of all sovereign Princes. To

counterfeit the dead image of a King in his coin is an high offence by all laws, but to counterfeit the living image of a King in his person, exceedeth all falsifications except it should be that of a Mahomet, or an Antichrist, that counterfeit divine honour. The King hath too great an opinion of this sage council, to think that any of you is caught with this fable, though way may be given by you to the passion of some, the thing in itself is so improbable. To set testimonies aside of the death of duke Richard, which the King hath upon record, plain and infallible, because they may be thought to be in the King's own power, let the thing testify for itself. Sense and reason no power can command. Is it possible, trow you, that King Richard should damn his soul, and foul his name with so abominable a murder, and yet not mend his case? Or do you think, that men of blood, that were his instruments, did turn to pity in the midst of their execution? Whereas in cruel and savage beasts, and men also, the first draught of blood doth yet make them more fierce and enraged. Do you not know, that the bloody executioners of tyrants do go to such errands with an halter about their neck; so that if they perform not, they are sure to die for it? And do you think that these men would hazard their own lives, for sparing another's? Admit they should have saved him; what should they have done with him? Turn him into London streets, that the watchmen, or any passenger that should light upon him, might carry him before a justice, and so all come to light? Or should they have kept him by them secretly? That surely would have required a great deal of care, charge, and continual fears. But, my lords, I labour too much in a clear business. The King is so wise, and hath so good friends abroad, as now he knoweth duke Perkin from his cradle. And because he is a great Prince, if you have any good poet here, he can help him with notes to write his life; and to parallel him with Lambert Simnel, now the King's falconer. And therefore, to speak plainly to your lordships, it is the strangest thing in the world, that the lady Margaret, excuse us if we name her, whose malice to the King is both causeless and endless,

should now when she is old, at the time when other women give over child-bearing, bring forth two such monsters; being not the births of nine or ten months, but of many years. And whereas other natural mothers bring forth children weak, and not able to help themselves; she bringeth forth tall striplings, able soon after their coming into the world to bid battle to mighty Kings. My lords, we stay unwillingly upon this part. We would to God, that lady would once taste the joys which God Almighty doth serve up unto her in beholding her niece to reign in such honour, and with so much royal issue, which she might be pleased to account as her own. The King's request unto the archduke, and your lordships, might be; that according to the example of King Charles, who hath already discarded him, you would banish this unworthy fellow out of your dominions. But because the King may justly expect more from an ancient confederate, than from a new reconciled enemy, he maketh his request unto you to deliver him up into his hands: pirates, and impostors of this sort, being fit to be accounted the common enemies of mankind, and no ways to be protected by the law of nations."

After some time of deliberation, the ambassadors received this short answer:

"That the archduke, for the love of King Henry, would in no sort aid or assist the pretended duke, but in all things conserve the amity he had with the King: But for the duchess dowager, she was absolute in the lands of her dowry, and that he could not let her to dispose of her own."

The King, upon the return of the ambassadors, was nothing satisfied with this answer. For well he knew, that a patrimonial dowry carried no part of sovereignty or command of forces. Besides, the ambassadors told him plainly, that they saw the duchess had a great party in the archduke's council; and that howsoever it was carried in a course of connivance, yet the archduke underhand gave aid and furtherance to Perkin. Wherefore, partly out of courage, and partly out of policy, the King forthwith banished all Flemings, as well their persons as their wares, out of his kingdom; command-

ing his subjects likewise, and by name his merchants adventurers, which had a resiance at Antwerp, to return; translating the mart, which commonly followed the English cloth, unto Calais; and embarred also all farther trade for the future. This the King did, being sensible in point of honour, not to suffer a pretender to the crown of England to affront him so near at hand, and he to keep terms of friendship with the country where he did set up. But he had also a farther reach; for that he knew well, that the subjects of Flanders drew so great commodity from the trade of England, as by this embargo they would soon wax weary of Perkin; and that the tumult of Flanders had been so late and fresh, as it was no time for the Prince to displease the people. Nevertheless for form's sake, by way of requital, the archduke did likewise banish the English out of Flanders; which in effect was done to his hand.

The King being well advertised, that Perkin did more trust upon friends and partakers within the realm than upon foreign arms, thought it behoved him to apply the remedy where the disease lay: and to proceed with severity against some of the principal conspirators here within the realm; thereby to purge the ill humours in England, and to cool the hopes in Flanders. Wherefore he caused to be apprehended, almost at an instant, John Ratcliffe lord Fitzwalter, Sir Simon Mountfort, Sir Thomas Thwaites, William D'Aubigney, Robert Ratcliffe, Thomas Cressenor, and Thomas Astwood. All these were arraigned, convicted, and condemned for high treason, in adhering and promising aid to Perkin. Of these the lord Fitzwalter was conveyed to Calais, and there kept in hold, and in hope of life, until soon after, either impatient or betrayed, he dealt with his keeper to have escaped, and thereupon was beheaded. But Sir Simon Mountfort, Robert Ratcliffe, and William D'Aubigney, were beheaded immediately after their condemnation. The rest were pardoned, together with many others, clerks, and laics, amongst which were two Dominican friers, and William Worseley dean of Paul's; which latter sort passed examination, but came not to public trial.

The lord chamberlain at that time was not touched; whether it were that the King would not stir too many humours at once, but, after the manner of good physicians, purge the head last; or that Clifford, from whom most of these discoveries came, reserved that piece for his own coming over; signifying only to the King in the mean time, that he doubted there were some greater ones in the business, whereof he would give the King farther account when he came to his presence.

Upon Alhallows-day even, being now the tenth year of the King's reign, the King's second son Henry was created duke of York; and as well the Duke, as divers others, noblemen, knights-bachelors, and gentlemen of quality, were made knights of the Bath, according to the ceremony. Upon the morrow after twelfth-day, the King removed from Westminster, where he had kept his Christmas, to the Tower of London. This he did as soon as he had advertisement that Sir Robert Clifford, in whose bosom or budget most of Perkin's secrets were laid up, was come into England. And the place of the Tower was chosen to that end, that if Clifford should accuse any of the great ones, they might, without suspicion, or noise, or sending abroad of warrants, be presently attached; the court and prison being within the cincture of one wall. After a day or two, the King drew unto him a selected council, and admitted Clifford to his presence; who first fell down at his feet, and in all humble manner craved the King's pardon; which the King then granted, though he were indeed secretly assured of his life before. Then commanded to tell his knowledge, he did amongst many others, of himself, not interrogated, impeach Sir William Stanley, the lord chamberlain of the King's houshold.

The King seemed to be much amazed at the naming of this lord, as if he had heard the news of some strange and fearful prodigy. To hear a man that had done him service of so high a nature, as to save his life, and set the crown upon his head; a man, that enjoyed, by his favour and advancement, so great a fortune both in honour and riches; a man, that was tied unto him in so near a band of alliance, his brother having married

the King's mother; and lastly, a man, to whom he had committed the trust of his person, in making him his chamberlain: that this man, no ways disgraced, no ways discontent, no ways put in fear, should be false unto him. Clifford was required to say over again and again, the particulars of his accusation; being warned, that in a matter so unlikely, and that concerned so great a servant of the King's, he should not in any wise go too far. But the King finding that he did sadly and constantly, without hesitation or varying, and with those civil protestations that were fit, stand to that that he had said, offering to justify it upon his soul and life; he caused him to be removed. And after he had not a little bemoaned himself unto his council there present, gave order that Sir William Stanley should be restrained in his own chamber where he lay before, in the square tower: and the next day he was examined by the lords. Upon his examination he denied little of that wherewith he was charged, nor endeavoured much to excuse or extenuate his fault: so that, not very wisely, thinking to make his offence less by confession, he made it enough for condemnation. It was conceived, that he trusted much to his former merits, and the interest that his brother had in the King. But those helps were overweighed by divers things that made against him, and were predominant in the King's nature and mind. First, an over-merit; for convenient merit, unto which reward may easily reach, doth best with Kings. Next the sense of his power; for the King thought, that he that could set him up, was the more dangerous to pull him down. Thirdly, the glimmering of a confiscation; for he was the richest subject for value in the kingdom: there being found in his castle of Holt forty thousand marks in ready money and plate, besides jewels, houshold-stuff, stocks upon his grounds, and other personal estate, exceeding great. And for his revenue in land and fee, it was three thousand pounds a year of old rent, a great matter in those times. Lastly, the nature of the time; for if the King had been out of fear of his own estate, it was not unlike he would have spared his life. But the cloud of so great

a rebellion hanging over his head, made him work sure. Wherefore after some six weeks distance of time, which the King did honourably interpose, both to give space to his brother's intercession, and to shew to the world that he had a conflict with himself what he should do; he was arraigned of high-treason, and condemned, and presently after beheaded.

Yet is it to this day left but in dark memory, both what the case of this noble person was, for which he suffered; and what likewise was the ground and cause of his defection, and the alienation of his heart from the King. His case was said to be this; That in discourse between Sir Robert Clifford and him he had said, "That if he were sure that that young man were King Edward's son, he would never bear arms against him." This case seems somewhat an hard case, both in respect of the conditional, and in respect of the other words. But for the conditional, it seemeth the judges of that time, who were learned men, and the three chief of them of the privy-council, thought it was a dangerous thing to admit *ifs* and *ands*, to qualify words of treason; whereby every man might express his malice, and blanch his danger. And it was like to the case, in the following times, of Elizabeth Barton, the holy maid of Kent; who had said, "That if King Henry the eighth did not take Catherine his wife again, he should be deprived of his crown, and die the death of a dog." And infinite cases may be put of like nature; which, it seemeth, the grave judges taking into consideration, would not admit of treasons upon condition. And as for the positive words, "That he would not bear arms against King Edward's son;" though the words seem calm, yet it was a plain and direct over-ruling of the King's title, either by the line of Lancaster, or by act of parliament: which, no doubt, pierced the King more, than if Stanley had charged his lance upon him in the field. For if Stanley would hold that opinion, that a son of King Edward had still the better right, he being so principal a person of authority and favour about the King, it was to teach all England to say as much. And therefore, as those times were, that speech touched

the quick. But some writers do put this out of doubt; for they say, that Stanley did expressly promise to aid Perkin, and sent him some help of treasure.

Now for the motive of his falling off from the King; it is true, that at Bosworth-field the King was beset, and in a manner inclosed round about by the troops of King Richard, and in manifest danger of his life; when this Stanley was sent by his brother, with three thousand men to his rescue, which he performed so, that King Richard was slain upon the place. So as the condition of mortal men is not capable of a greater benefit, than the King received by the hands of Stanley; being like the benefit of Christ, at once to save and crown. For which service the King gave him great gifts, made him his counsellor and chamberlain: and, somewhat contrary to his nature, had winked at the great spoils of Bosworth-field, which came almost wholly to this man's hands, to his infinite enriching. Yet nevertheless, blown up with the conceit of his merit, he did not think he had received good measure from the King, at least not pressing down and running over, as he expected. And his ambition was so exorbitant and unbounded, as he became suitor to the King for the earldom of Chester: which ever being a kind of appenage to the principality of Wales, and using to go to the King's son, his suit did not only end in a denial but in a distaste: the King perceiving thereby, that his desires were intemperate, and his cogitations vast and irregular, and that his former benefits were but cheap, and lightly regarded by him. Wherefore the King began not to brook him well. And as a little leaven of new distaste doth commonly sour the whole lump of former merits, the King's wit began now to suggest unto his passion, that Stanley at Bosworth-field, though he came time enough to save his life, yet he stayed long enough to endanger it. But yet having no matter against him, he continued him in his places until this his fall.

After him was made lord chamberlain Giles lord D'Aubigney, a man of great sufficiency and valour: the more because he was gentle and moderate.

There was a common opinion, that Sir Robert Clif-

ford, who now was become the state informer, was from the beginning an emissary and spy of the King's; and that he fled over into Flanders with his consent and privity. But this is not probable; both because he never recovered that degree of grace, which he had with the King before his going over; and chiefly, for that the discovery which he had made touching the lord chamberlain, which was his great service, grew not from any thing he learned abroad, for that he knew it well before he went.

These executions, and especially that of the lord chamberlain, which was the chief strength of the party, and by means of Sir Robert Clifford, who was the most inward man of trust amongst them, did extremely quail the design of Perkin and his complices, as well through discouragement as distrust. So that they were now, like sand without lime, ill bound together; especially as many as were English, who were at a gaze, looking strange one upon another, not knowing who was faithful to their side; but thinking, that the King, what with his baits, and what with his nets, would draw them all unto him that were any thing worth. And indeed it came to pass, that divers came away by the thread, sometimes one, and sometimes another. Barley, that was joint commissioner with Clifford, did hold out one of the longest, till Perkin was far worn; yet made his peace at the length. But the fall of this great man, being in so high authority and favour, as was thought, with the King; and the manner of carriage of the business, as if there had been secret inquisition upon him for a great time before; and the cause for which he suffered, which was little more than for saying in effect that the title of York was better than the title of Lancaster; which was the case of almost every man, at the least in opinion, was matter of great terror amongst all the King's servants and subjects; insomuch as no man almost thought himself secure, and men durst scarce commune or talk one with another, but there was a general diffidence every where: which nevertheless made the King rather more absolute than more safe. For "bleeding inwards, and shut vapours, strangle soonest, and oppress most."

Hereupon presently came forth swarms and vollies of libels, which are the gusts of liberty of speech restrained, and the females of sedition, containing bitter invectives and slanders against the King and some of the council: for the contriving and dispersing whereof, after great diligence of enquiry, five mean persons were caught up and executed.

Mean while the King did not neglect Ireland, being the soil where these mushrooms and upstart weeds, that spring up in a night, did chiefly prosper. He sent therefore from hence, for the better settling of his affairs there, commissioners of both robes, the prior of Lanthony, to be his chancellor in that kingdom; and Sir Edward Poynings, with a power of men, and a martial commission, together with a civil power of his lieutenant, with a clause, that the earl of Kildare, then deputy, should obey him. But the wild Irish, who were the principal offenders, fled into the woods and bogs, after their manner; and those that knew themselves guilty in the pale fled to them. So that Sir Edward Poynings was enforced to make a wild chase upon the wild Irish: where, in respect of the mountains and fastnesses, he did little good. Which, either out of a suspicious melancholy upon his bad success, or the better to save his service from disgrace, he would needs impute unto the comfort that the rebels should receive underhand from the earl of Kildare; every light suspicion growing upon the earl, in respect of the Kildare that was in the action of Lambert Simnel, and slain at Stokefield. Wherefore he caused the earl to be apprehended, and sent into England; where, upon examination, he cleared himself so well, as he was replaced in his government. But Poynings, the better to make compensation of the meagreness of his service in the wars by acts of peace, called a parliament; where was made that memorable act, which at this day is called Poynings' law, whereby all the statutes of England were made to be of force in Ireland: for before they were not, neither are any now in force in Ireland, which were made in England since that time; which was the tenth year of the King.

About this time began to be discovered in the King that disposition, which afterwards, nourished and whet on by bad counsellors and ministers, proved the blot of his times: which was the course he took to crush treasure out of his subjects purses, by forfeitures upon penal laws. At this men did startle the more at this time, because it appeared plainly to be in the King's nature, and not out of his necessity, he being now in float for treasure: for that he had newly received the peace-money from France, the benevolence-money from his subjects, and great casualties upon the confiscations of the lord chamberlain, and divers others. The first noted case of this kind was that of Sir William Capel, alderman of London; who, upon sundry penal laws, was condemned in the sum of seven and twenty hundred pounds, and compounded with the King for sixteen hundred: and yet after, Empson would have cut another chop out of him, if the King had not died in the instant.

The summer following, the King, to comfort his mother, whom he did always tenderly love and revere, and to make open demonstration to the world, that the proceedings against Sir William Stanley, which was imposed upon him by necessity of state, had not in any degree diminished the affection he bare to Thomas his brother, went in progress to Latham, to make merry with his mother and the earl, and lay there divers days.

During this progress, Perkin Warbeck finding that time and temporising, which, whilst his practices were covert and wrought well in England, made for him; did now, when they were discovered and defeated, rather make against him, for that when matters once go down the hill, they stay not without a new force, resolved to try his adventure in some exploit upon England; hoping still upon the affections of the common people towards the house of York. Which body of common people he thought was not to be practised upon, as persons of quality are; but that the only practice upon their affections was to set up a standard in the field. The place where he should make his attempt, he chose to be the coast of Kent.

The King by this time was grown to such a height of reputation for cunning and policy, that every accident and event that went well, was laid and imputed to his foresight, as if he had set it before: as in this particular of Perkin's design upon Kent. For the world would not believe afterwards, but the King, having secret intelligence of Perkin's intention for Kent, the better to draw it on, went of purpose into the north afar off, laying an open side unto Perkin, to make him come to the close, and so to trip up his heels, having made sure in Kent beforehand.

But so it was, that Perkin had gathered together a power of all nations, neither in number, nor in the hardiness and courage of the persons, contemptible, but in their nature and fortunes to be feared, as well of friends as enemies; being bankrupts, and many of them felons, and such as lived by rapine. These he put to sea, and arrived upon the coast of Sandwich and Deal in Kent, about July.

There he cast anchor, and to prove the affections of the people, sent some of his men to land, making great boasts of the power that was to follow. The Kentish men, perceiving that Perkin was not followed by any English of name or account, and that his forces consisted but of strangers born, and most of them base people and free-booters, fitter to spoil a coast than to recover a kingdom; resorting unto the principal gentlemen of the country, professed their loyalty to the King, and desired to be directed and commanded for the best of the King's service. The gentlemen entering into consultation, directed some forces in good number to shew themselves upon the coast; and some of them to make signs to entice Perkin's soldiers to land, as if they would join with them; and some others to appear from some other places, and to make semblance as if they fled from them, the better to encourage them to land. But Perkin, who by playing the Prince, or else taught by secretary Frion, had learned thus much, that people under command do use to consult, and after to march in order; and rebels contrariwise run upon an head together in confusion, considering the delay of time,

and observing their orderly and not tumultuary arming, doubted the worst. And therefore the wily youth would not set one foot out of his ship, till he might see things were sure. Wherefore the King's forces, perceiving that they could draw on no more than those that were formerly landed, set upon them and cut them in pieces, ere they could fly back to their ships. In which skirmish, besides those that fled and were slain, there were taken about an hundred and fifty persons. Which, for that the King thought, that to punish a few for example was gentleman's pay; but for rascal people, they were to be cut off every man, especially in the beginning of an enterprize: and likewise for that he saw, that Perkin's forces would now consist chiefly of such rabble and scum of desperate people, he therefore hanged them all for the greater terror. They were brought to London all railed in ropes, like a team of horses in a cart, and were executed some of them at London and Wapping, and the rest at divers places upon the sea-coast of Kent, Sussex, and Norfolk, for sea-marks or light-houses, to teach Perkin's people to avoid the coast. The King being advertized of the landing of the rebels, thought to leave his progress: but being certified the next day, that they were partly defeated, and partly fled, he continued his progress, and sent Sir Richard Guildford into Kent in message; who calling the country together, did much commend from the King their fidelity, manhood, and well handling of that service; and gave them all thanks, and, in private, promised reward to some particulars.

Upon the sixteenth of November, this being the eleventh year of the King, was holden the serjeants feast at Ely-place, there being nine serjeants of that call. The King, to honour the feast, was present with his Queen at the dinner; being a prince that was ever ready to grace and countenance the professors of the law; having a little of that, that as he governed his subjects by his laws, so he governed his laws by his lawyers.

This year also the King entered into league with the Italian potentates for the defence of Italy against France. For King Charles had conquered the realm of Naples,

and lost it again, in a kind of felicity of a dream. He passed the whole length of Italy without resistance; so that it was true which Pope Alexander was wont to say, That the Frenchmen came into Italy with chalk in their hands, to mark up their lodgings, rather than with swords to fight. He likewise entered and won, in effect, the whole kingdom of Naples itself, without striking stroke. But presently thereupon he did commit and multiply so many errors, as was too great a task for the best fortune to overcome. He gave no contentment to the barons of Naples, of the faction of the Angeovines; but scattered his rewards according to the mercenary appetites of some about him. He put all Italy upon their guard, by the seizing and holding of Ostia, and the protecting of the liberty of Pisa: which made all men suspect, that his purposes looked farther than his title of Naples. He fell too soon at difference with Ludovico Sfortia, who was the man that carried the keys which brought him in, and shut him out. He neglected to extinguish some relicks of the war. And lastly, in regard of his easy passage through Italy without resistance, he entered into an overmuch despising of the arms of the Italians; whereby he left the realm of Naples at his departure so much the less provided. So that not long after his return, the whole kingdom revolted to Ferdinando the younger, and the French were quite driven out. Nevertheless Charles did make both great threats, and great preparations to re-enter Italy once again. Wherefore at the instance of divers of the states of Italy, and especially of Pope Alexander, there was a league concluded between the said Pope, Maximilian King of the Romans, Henry King of England, Ferdinando and Isabella King and Queen of Spain, for so they are constantly placed in the original treaty throughout, Augustino Barbadico duke of Venice, and Ludovico Sfortia duke of Milan, for the common defence of their estates: wherein though Ferdinando of Naples was not named as principal, yet, no doubt, the kingdom of Naples was tacitly included as a fee of the church.

There died also this year Cecile duchess of York, mother to King Edward the fourth, at her castle of

Barkhamsted, being of extreme years, and who had lived to see three Princes of her body crowned, and four murdered. She was buried at Foderingham by her husband.

This year also the King called his parliament, where many laws were made of a more private and vulgar nature, than ought to detain the reader of an history. And it may be justly suspected by the proceedings following, that as the King did excel in good commonwealth laws, so nevertheless he had, in secret, a design to make use of them, as well for collecting of treasure, as for correcting of manners; and so meaning thereby to harrow his people, did accumulate them the rather.

The principal law that was made this parliament, was a law of a strange nature; rather just than legal; and more magnanimous than provident. This law did ordain; That no person that did assist in arms, or otherwise, the King for the time being, should after be impeached therefore, or attainted, either by the course of the law, or by act of parliament. But if any such act of attainder did happen to be made, it should be void and of none effect; for that it was agreeable to reason of estate, that the subject should not inquire of the justness of the King's title, or quarrel; and it was agreeable to good conscience, that, whatsoever the fortune of the war were, the subject should not suffer for his obedience. The spirit of this law was wonderful pious and noble, being like, in matter of war, unto the spirit of David in matter of plague; who said, "If I have sinned, strike me; but what have these sheep done?" Neither wanted this law parts of prudent and deep foresight; for it did the better take away occasion for the people to busy themselves to pry into the King's title; for that howsoever it fell, their safety was already provided for. Besides, it could not but greatly draw unto him the love and hearts of the people, because he seemed more careful for them than for himself. But yet nevertheless it did take off from his party that great tie and spur of necessity, to fight and go victors out of the field; considering their lives and fortunes were put in safety and protected, whether they stood to it or ran away. But the force and obligation of

this law was in itself illusory, as to the latter part of it, by a precedent act of parliament to bind or frustrate a future. For a supreme and absolute power cannot conclude itself, neither can that which is in nature revocable be made fixed, no more than if a man should appoint or declare by his will, that if he made any latter will it should be void. And for the case of the act of parliament, there is a notable precedent of it in King Henry the eighth's time; who doubting he might die in the minority of his son, procured an act to pass, That no statute made during the minority of a King, should bind him or his successors, except it were confirmed by the King under his great seal at his full age. But the first act that passed in King Edward the sixth's time, was an act of repeal of that former act; at which time nevertheless the King was minor. But things that do not bind, may satisfy for the time.

There was also made a shoaring or under-propping act for the benevolence: to make the sums which any person had agreed to pay, and nevertheless were not brought in, to be leviable by course of law. Which act did not only bring in the arrears, but did indeed countenance the whole business, and was pretended to be made at the desire of those that had been forward to pay.

This parliament also was made that good law, which gave the attaint upon a false verdict between party and party, which before was a kind of evangile, and irremediable. It extends not to causes capital, as well because they are for the most part at the King's suit; as because in them, if they be followed in course of indictment, there passeth a double jury, the indictors, and the triers; and so not twelve men, but four and twenty. But it seemeth that was not the only reason; for this reason holdeth not in the appeal. But the great reason was, lest it should tend to the discouragement of jurors in cases of life and death; if they should be subject to suit and penalty, where the favour of life maketh against them. It extendeth not also to any suit, where the demand is under the value of forty pounds; for that in such cases of petty value it would not quit the charge, to go about again.

There was another law made against a branch of ingrat-

itude in women, who having been advanced by their husbands, or their husbands ancestors, should alien, and thereby seek to defeat the heirs, or those in remainder, of the lands, whereunto they had been so advanced. The remedy was, by giving power to the next, to enter for a forfeiture.

There was also enacted that charitable law, for the admission of poor suitors *in forma pauperis*, without fee to counsellor, attorney, or clerk, whereby poor men became rather able to vex than unable to sue. There were divers other good laws made that parliament, as we said before; but we still observe our manner, in selecting out those, that are not of a vulgar nature.

The King this while, though he sat in parliament, as in full peace, and seemed to account of the designs of Perkin, who was now returned into Flanders, but as a may-game; yet having the composition of a wise King, stout without, and apprehensive within, had given order for the watching of beacons upon the coasts, and erecting more where they stood too thin, and had a careful eye where this wandering cloud would break. But Perkin advised to keep his fire, which hitherto burned as it were upon green wood, alive with continual blowing; sailed again into Ireland, whence he had formerly departed, rather upon the hopes of France, than upon any unreadiness or discouragement he found in that people. But in the space of time between, the King's diligence and Poyning's commission had so settled things there, as there was nothing left for Perkin, but the blustering affection of wild and naked people. Wherefore he was advised by his council, to seek aid of the King of Scotland, a Prince young and valorous, and in good terms with his nobles and people, and ill affected to King Henry. At this time also both Maximilian and Charles of France began to bear no good will to the King: the one being displeased with the King's prohibition of commerce with Flanders; the other holding the King for suspect, in regard of his late entry into league with the Italians. Wherefore, besides the open aids of the duchess of Burgundy, which did with sails and oars put on and advance Perkin's designs, there wanted not some

secret tides from Maximilian and Charles, which did further his fortunes: insomuch as they, both by their secret letters and messages, recommended him to the King of Scotland.

Perkin therefore coming into Scotland upon those hopes, with a well-appointed company, was by the King of Scots, being formerly well prepared, honourably welcomed, and soon after his arrival admitted to his presence, in a solemn manner: for the King received him in state in his chamber of presence, accompanied with divers of his nobles. And Perkin well attended, as well with those that the King had sent before him, as with his own train, entered the room where the King was, and coming near to the King, and bowing a little to embrace him, he retired some paces back, and with a loud voice, that all that were present might hear him, made his declaration in this manner:

"High and mighty King, your grace, and these your nobles here present, may be pleased benignly to bow your ears, to hear the tragedy of a young man, that by right ought to hold in his hand the ball of a kingdom; but by fortune is made himself a ball, tossed from misery to misery, and from place to place. You see here before you the spectacle of a Plantagenet, who hath been carried from the nursery to the sanctuary; from the sanctuary to the direful prison; from the prison to the hand of the cruel tormentor; and from that hand to the wide wilderness, as I may truly call it, for so the world hath been to me. So that he that is born to a great kingdom, hath not ground to set his foot upon, more than this where he now standeth by your princely favour. Edward the fourth, late King of England, as your grace cannot but have heard, left two sons, Edward, and Richard duke of York, both very young. Edward the eldest succeeded their father in the crown, by the name of king Edward the fifth: but Richard duke of Gloucester, their unnatural uncle, first thirsting after the kingdom, through ambition, and afterwards thirsting for their blood, out of desire to secure himself, employed an instrument of his, confident to him, as he thought, to murder them both. But this man that was employed to execute that ex-

ecrable tragedy, having cruelly slain King Edward, the eldest of the two, was moved partly by remorse, and partly by some other means, to save Richard his brother; making a report nevertheless to the tyrant, that he had performed his commandment to both brethren. This report was accordingly believed, and published generally: so that the world hath been possessed of an opinion, that they both were barbarously made away; though ever truth hath some sparks that fly abroad, until it appear in due time, as this hath had. But Almighty God, that stopped the mouth of the lion, and saved little Joash from the tyranny of Athaliah, when she massacred the King's children; and did save Isaac, when the hand was stretched forth to sacrifice him; preserved the second brother. For I myself, that stand here in your presence, am that very Richard, Duke of York, brother of that unfortunate Prince, King Edward the fifth, now the most rightful surviving heir male to that victorious and most noble Edward, of that name the fourth, late King of England. For the manner of my escape, it is fit it should pass in silence, or, at least, in a more secret relation; for that it may concern some alive, and the memory of some that are dead. Let it suffice to think, that I had then a mother living, a Queen, and one that expected daily such a commandment from the tyrant, for the murdering of her children. Thus in my tender age escaping by God's mercy out of London, I was secretly conveyed over sea: where after a time the party that had me in charge, upon what new fears, change of mind, or practice, God knoweth, suddenly forsook me. Whereby I was forced to wander abroad, and to seek mean conditions for the sustaining of my life. Wherefore distracted between several passions, the one of fear to be known, lest the tyrant should have a new attempt upon me; the other of grief and disdain to be unknown, and to live in that base and servile manner that I did; I resolved with myself to expect the tyrant's death, and then to put myself into my sister's hands, who was next heir to the crown. But in this season it happened one Henry Tudor, son to Edmund Tudor, earl of Richmond, to come from France and enter into the realm, and by subtile and foul means

to obtain the crown of the same, which to me rightfully appertained: so that it was but a change from tyrant to tyrant. This Henry, my extreme and mortal enemy, so soon as he had knowlege of my being alive, imagined and wrought all the subtile ways and means he could, to procure my final destruction; for my mortal enemy hath not only falsely surmised me to be a feigned person, giving me nick-names, so abusing the world; but also, to defer and put me from entry into England, hath offered large sums of money to corrupt the Princes and their ministers, with whom I have been retained; and made importune labours to certain servants about my person, to murder or poison me, and others to forsake and leave my righteous quarrel, and to depart from my service, as Sir Robert Clifford, and others. So that every man of reason may well perceive that Henry, calling himself King of England, needed not to have bestowed such great sums of treasure, nor so to have busied himself with importune and incessant labour and industry, to compass my death and ruin, if I had been such a feigned person. But the truth of my cause being so manifest, moved the most Christian King Charles, and the lady duchess dowager of Burgundy, my most dear aunt, not only to acknowledge the truth thereof, but lovingly to assist me. But it seemeth that God above, for the good of this whole island, and the knitting of these two kingdoms of England and Scotland in a strait concord and amity, by so great an obligation, hath reserved the placing of me in the imperial throne of England for the arms and succours of your grace. Neither is it the first time that a King of Scotland hath supported them that were bereft and spoiled of the kingdom of England, as of late, in fresh memory, it was done in the person of Henry the sixth. Wherefore, for that your grace hath given clear signs, that you are in no noble quality inferior to your royal ancestors; I, so distressed a Prince, was hereby moved to come and put myself into your royal hands, desiring your assistance to recover my kingdom of England; promising faithfully to bear myself towards your grace no otherwise, than if I were your own natural brother; and will, upon the recovery of mine inheritance, gratefully do you all the pleasure that is in my utmost power."

After Perkin had told his tale, King James answered bravely and wisely; "That whatsoever he were, he should not repent him of putting himself into his hands." And from that time forth, though there wanted not some about him, that would have persuaded him that all was but an illusion; yet notwithstanding, either taken by Perkin's amiable and alluring behaviour, or inclining to the recommendation of the great Princes abroad, or willing to take an occasion of a war against King Henry, he entertained him in all things, as became the person of Richard duke of York; embraced his quarrel; and, the more to put it out of doubt, that he took him to be a great Prince, and not a representation only, he gave consent, that this duke should take to wife the lady Catharine Gordon, daughter to the earl of Huntley, being a near kinswoman to the King himself, and a young virgin of excellent beauty and virtue.

Not long after, the King of Scots in person, with Perkin in his company, entered with a great army, though it consisted chiefly of borderers, being raised somewhat suddenly, into Northumberland. And Perkin, for a perfume before him as he went, caused to be published a proclamation[1] of this tenor following, in the name of Richard duke of York, true inheritor of the crown of England:

"It hath pleased God, who putteth down the mighty from their seat, and exalteth the humble, and suffereth not the hopes of the just to perish in the end, to give us means at the length to shew ourselves armed unto our lieges and people of England. But far be it from us to intend their hurt or damage, or to make war upon them, otherwise than to deliver ourself and them, from tyranny and oppression. For our mortal enemy Henry Tudor, a false usurper of the crown of England, which to us by natural and lineal right appertaineth, knowing in his own heart our undoubted right, we being the very Richard duke of York, younger son, and now surviving heir male of the noble and victorious Edward

[1] The original of this proclamation remaineth with Sir Robert Cotton, a worthy preserver and treasurer of rare antiquities; from whose manuscripts I have had much light for the furnishing of this work.

the fourth, late King of England, hath not only deprived us of our kingdom, but likewise by all foul and wicked means sought to betray us, and bereave us of our life. Yet if his tyranny only extended itself to our person, although our royal blood teacheth us to be sensible of injuries, it should be less to our grief. But this Tudor, who boasteth himself to have overthrown a tyrant, hath, ever since his first entrance into his usurped reign, put little in practice, but tyranny and the feats thereof.

"For King Richard, our unnatural uncle, although desire of rule did blind him, yet in his other actions, like a true Plantagenet, was noble, and loved the honour of the realm, and the contentment and comfort of his nobles and people. But this our mortal enemy, agreeable to the meanness of his birth, hath trodden under foot the honour of this nation: selling our best confederates for money, and making merchandise of the blood, estates, and fortunes of our peers and subjects, by feigned wars, and his honourable peace, only to enrich his coffers. Nor unlike hath been his hateful misgovernment and evil deportments at home. First, he hath, to fortify his false quarrel, caused divers nobles of this our realm, whom he held suspect and stood in dread of, to be cruelly murdered; as our cousin Sir William Stanley, lord chamberlain, Sir Simon Mountfort, Sir Robert Ratcliffe, William D'Aubigny, Humphrey Stafford, and many others, besides such as have dearly bought their lives with intolerable ransoms: some of which nobles are now in the sanctuary. Also he hath long kept, and yet keepeth in prison, our right intirely well-beloved cousin, Edward, son and heir to our uncle duke of Clarence, and others; withholding from them their rightful inheritance, to the intent they should never be of might and power, to aid and assist us at our need, after the duty of their legiances. He also married by compulsion certain of our sisters, and also the sister of our said cousin the earl of Warwick, and divers other ladies of the royal blood, unto certain of his kinsmen and friends of simple and low degree; and putting apart all well disposed nobles, he hath none in favour and trust about his person, but bishop Fox,

Smith, Bray, Lovel, Oliver King, David Owen, Risely, Tubervile, Tiler, Chomley, Empson, James Hobart, John Cut, Garth, Henry Wyat, and such other caitiffs and villains of birth, which by subtile inventions, and pilling of the people, have been the principal finders, occasioners, and counsellors of the misrule and mischief now reigning in England.

"We remembering these premises, with the great and execrable offences daily committed and done by our foresaid great enemy and his adherents, in breaking the liberties and franchises of our mother the holy Church, upon pretences of wicked and heathenish policy, to the high displeasure of Almighty God, besides the manifold treasons, abominable murders, manslaughters, robberies, extortions, the daily pilling of the people by dismes, taxes, tallages, benevolences, and other unlawful impositions, and grievous exactions, with many other heinous effects, to the likely destruction and desolation of the whole realm: shall by God's grace, and the help and assistance of the great lords of our blood, with the counsel of other sad persons, see that the commodities of our realm be employed to the most advantage of the same; the intercourse of merchandise betwixt realm and realm to be ministered and handled as shall more be to the common weal and prosperity of our subjects; and all such dismes, taxes, tallages, benevolences, unlawful impositions, and grievous exactions, as be above rehearsed, to be foredone and laid apart, and never from henceforth to be called upon, but in such cases as our noble progenitors, Kings of England, have of old time been accustomed to have the aid, succour, and help of their subjects, and true liege-men.

"And farther, we do, out of our grace and clemency, hereby as well publish and promise to all our subjects remission and free pardon of all by-past offences whatsoever, against our person or estate, in adhering to our said enemy, by whom we know well, they have been misled, if they shall within time convenient submit themselves unto us. And for such as shall come with the foremost to assist our righteous quarrel, we shall make them so far partakers of our princely favour and

bounty, as shall be highly for the comfort of them and theirs, both during their life and after their death: as also we shall, by all means which God shall put into our hands, demean ourselves to give royal contentment to all degrees and estates of our people, maintaining the liberties of holy Church in their intire, preserving the honours, privileges, and preeminences of our nobles, from contempt and disparagement according to the dignity of their blood. We shall also unyoke our people from all heavy burdens and endurances, and confirm our cities, boroughs and towns, in their charters and freedoms, with enlargement where it shall be deserved; and in all points give our subjects cause to think, that the blessed and debonair government of our noble father King Edward, in his last times, is in us revived.

"And forasmuch as the putting to death, or taking alive of our said mortal enemy, may be a mean to stay much effusion of blood, which otherwise may ensue, if by compulsion or fair promises he shall draw after him any number of our subjects to resist us, which we desire to avoid, though we be certainly informed, that our said enemy is purposed and prepared to fly the land, having already made over great masses of the treasure of our crown, the better to support him in foreign parts, we do hereby declare, that whosoever shall take or distress our said enemy, though the party be of never so mean a condition, he shall be by us rewarded with a thousand pound in money, forthwith to be laid down to him, and an hundred marks by the year of inheritance; besides that he may otherwise merit, both toward God and all good people, for the destruction of such a tyrant.

"Lastly, we do all men to wit, and herein we take also God to witness, that whereas God hath moved the heart of our dearest cousin, the King of Scotland, to aid us in person in this our righteous quarrel; it is altogether without any pact or promise, or so much as demand of any thing that may prejudice our crown or subjects: but contrariwise, with promise on our said cousin's part, that whensoever he shall find us in sufficient strength to get the upper hand of our enemy, which we hope will

be very suddenly, he will forthwith peaceably return into his own Kingdom; contenting himself only with the glory of so honourable an enterprise, and our true and faithful love and amity: which we shall ever, by the grace of Almighty God, so order, as shall be to the great comfort of both kingdoms."

But Perkin's proclamation did little edify with the people of England; neither was he the better welcome for the company he came in. Wherefore the King of Scotland seeing none came in to Perkin, nor none stirred any where in his favour, turned his enterprise into a road; and wasted and destroyed the country of Northumberland with fire and sword. But hearing that there were forces coming against him, and not willing that they should find his men heavy and laden with booty, he returned into Scotland with great spoils, deferring farther prosecution till another time. It is said, that Perkin, acting the part of a Prince handsomely, when he saw the Scotish fell to waste the country, came to the King in a passionate manner, making great lamentation, and desired, that that might not be the manner of making the war; for that no crown was so dear to his mind, as that he desired to purchase it with the blood and ruin of his country. Whereunto the King answered half in sport, that he doubted much he was careful for that that was none of his, and that he should be too good a steward for his enemy, to save the country to his use.

By this time, being the eleventh year of the King, the interruption of trade between the English and the Flemish began to pinch the merchants of both nations very sore: which moved them by all means they could devise, to affect and dispose their sovereigns respectively, to open the intercourse again; wherein time favoured them. For the archduke and his council began to see, that Perkin would prove but a runagate and citizen of the world; and that it was the part of children to fall out about babies. And the King on his part, after the attempts upon Kent and Northumberland, began to have the business of Perkin in less estimation; so as he did not put it to account in any consultation of state. But that that moved him most was, that being a King that

loved wealth and treasure, he could not endure to have trade sick, nor any obstruction to continue in the gate-vein, which disperseth that blood. And yet he kept state so far, as first to be sought unto. Wherein the merchant-adventurers likewise, being a strong company at that time, and well under-set with rich men, and good order, did hold out bravely; taking off the commodities of the kingdom, though they lay dead upon their hands for want of vent. At the last, commissioners met at London to treat: on the King's part, bishop Fox lord privy seal, viscount Wells, Kendal prior of saint John's, Warham master of the rolls, who began to gain much upon the King's opinion; Urswick, who was almost ever one; and Riseley: on the archduke's part, the lord Bevers his admiral, the lord Verunsel president of Flanders, and others. These concluded a perfect treaty, both of amity and intercourse, between the King and the archduke; containing articles both of state, commerce, and free fishing. This is that treaty which the Flemings call at this day *intercursus magnus;* both because it is more complete than the precedent treaties of the third and fourth year of the King; and chiefly to give it a difference from the treaty that followed in the one and twentieth year of the King, which they call *intercursus malus.* In this treaty, there was an express article against the reception of the rebels of either Prince by other; purporting, That if any such rebel should be required, by the Prince whose rebel he was, of the Prince confederate, that forthwith the Prince confederate should by proclamation command him to avoid the country: which if he did not within fifteen days, the rebel was to stand proscribed, and put out of protection. But nevertheless in this article Perkin was not named, neither perhaps contained, because he was no rebel. But by this means his wings were clipt of his followers that were English. And it was expressly comprised in the treaty, that it should extend to the territories of the duchess dowager. After the intercourse thus restored, the English merchants came again to their mansion at Antwerp, where they were received with procession and great joy.

The winter following, being the twelfth year of his reign, the King called again his parliament; where he did much exaggerate both the malice, and the cruel predatory war lately made by the King of Scotland: That that King, being in amity with him, and no ways provoked, should so burn in hatred towards him, as to drink of the lees and dregs of Perkin's intoxication, who was every where else detected and discarded: and that when he perceived it was out of his reach to do the King any hurt, he had turned his arms upon unarmed and unprovided people, to spoil only and depopulate, contrary to the laws both of war and peace, concluding, that he could neither with honour, nor with the safety of his people, to whom he did owe protection, let pass these wrongs unrevenged. The parliament understood him well, and gave him a subsidy, limited to the sum of one hundred and twenty thousand pounds, besides two fifteens: for his wars were always to him as a mine of treasure of a strange kind of ore; iron at the top, and gold and silver at the bottom. At this parliament, for that there had been so much time spent in making laws the year before, and for that it was called purposely in respect of the Scotish war, there were no laws made to be remembered. Only there passed a law, at the suit of the merchant-adventurers of England against the merchant-adventurers of London, for monopolizing and exacting upon the trade: which it seemeth they did a little to save themselves, after the hard time they had sustained by want of trade. But those innovations were taken away by parliament.

But it was fatal to the King to fight for his money; and though he avoided to fight with enemies abroad, yet he was still enforced to fight for it with rebels at home: for no sooner began the subsidy to be levied in Cornwall, but the people there began to grudge and murmur. The Cornish being a race of men, stout of stomach, mighty of body and limb, and that lived hardly in a barren country, and many of them could, for a need, live under ground, that were tinners. They muttered extremely, that it was a thing not to be suffered, that for a little stir of the Scots, soon blown over, they should be thus grinded to powder with payments: and said it

was for them to pay that had too much, and lived idly. But they would eat their bread that they got with the sweat of their brows, and no man should take it from them. And as in the tides of people once up, there want not commonly stirring winds to make them more rough; so this people did light upon two ringleaders or captains of the rout. The one was Michael Joseph, a blacksmith or farrier of Bodmin, a notable talking fellow, and no less desirous to be talked of. The other was Thomas Flammock, a lawyer, who, by telling his neighbours commonly upon any occasion that the law was on their side, had gotten great sway amongst them. This man talked learnedly, and as if he could tell how to make a rebellion, and never break the peace. He told the people, that subsidies were not to be granted, nor levied in this case; that is, for wars of Scotland: for that the law had provided another course, by service of escuage, for those journeys; much less when all was quiet, and war was made but a pretence to poll and pill the people. And therefore that it was good they should not stand now like sheep before the shearers, but put on harness, and take weapons in their hands. Yet to do no creature hurt; but go and deliver the King a strong petition, for the laying down of those grievous payments, and for the punishment of those that had given him that counsel; to make others beware how they did the like in time to come. And said, for his part he did not see how they could do the duty of true Englishmen, and good liege-men, except they did deliver the King from such wicked ones, that would destroy both him and the country. Their aim was at archbishop Morton and Sir Reginald Bray, who were the King's skreens in this envy.

After that these two, Flammock and the blacksmith, had by joint and several pratings found tokens of consent in the multitude, they offered themselves to lead them, until they should hear of better men to be their leaders, which they said would be ere long: telling them farther, that they would be but their servants, and first in every danger; but doubted not but to make both the west-end and the east-end of England to meet in so good a quarrel; and that all, rightly understood, was but

for the King's service. The people, upon these seditious instigations, did arm, most of them with bows, and arrows, and bills, and such other weapons of rude and country people, and forthwith under the command of their leaders, which in such cases is ever at pleasure, marched out of Cornwall through Devonshire unto Taunton in Somersetshire, without any slaughter, violence, or spoil of the country. At Taunton they killed in fury an officious and eager commissioner for the subsidy, whom they called the provost of Perin. Thence they marched to Wells, where the lord Audley, with whom their leaders had before some secret intelligence, a nobleman of an ancient family, but unquiet and popular, and aspiring to ruin, came in to them, and was by them, with great gladness and cries of joy, accepted as their general; they being now proud that they were led by a nobleman. The lord Audley led them on from Wells to Salisbury, and from Salisbury to Winchester. Thence the foolish people, who, in effect, led their leaders, had a mind to be led into Kent, fancying that the people there would join with them; contrary to all reason or judgment, considering the Kentish men had shewed great loyalty and affection to the King so lately before. But the rude people had heard Flammock say, that Kent was never conquered, and that they were the freest people of England. And upon these vain noises, they looked for great matters at their hands, in a cause which they conceited to be for the liberty of the subject. But when they were come into Kent, the country was so well settled, both by the King's late kind usage towards them, and by the credit and power of the earl of Kent, the lord Abergavenny, and the lord Cobham, as neither gentleman nor yeoman came in to their aid; which did much damp and dismay many of the simpler sort; insomuch as divers of them did secretly fly from the army and went home: but the sturdier sort, and those that were most engaged, stood by it, and rather waxed proud than failed in hopes and courage. For as it did somewhat appall them, that the people came not in to them so it did no less encourage them, that the King's forces had not set upon them, having marched from the west

unto the east of England. Wherefore they kept on their way, and encamped upon Blackheath, between Greenwich and Eltham; threatening either to bid battle to the King, for now the seas went higher than to Morton and Bray, or to take London within his view; imagining with themselves, there to find no less fear than wealth.

But to return to the King. When first he heard of this commotion of the Cornish men occasioned by the subsidy, he was much troubled therewith; not for itself, but in regard of the concurrence of other dangers that did hang over him at that time. For he doubted lest a war from Scotland, a rebellion from Cornwall, and the practices and conspiracies of Perkin and his partakers, would come upon him at once: knowing well, that it was a dangerous triplicity to a monarchy, to have the arms of a foreigner, the discontents of subjects, and the title of a pretender to meet. Nevertheless the occasion took him in some part well provided. For as soon as the parliament had broken up, the King had presently raised a puissant army to war upon Scotland. And King James of Scotland likewise, on his part, had made great preparations, either for defence, or for new assailing of England. But as for the King's forces, they were not only in preparation, but in readiness presently to set forth, under the conduct of D'Aubigny the lord chamberlain. But as soon as the King understood of the rebellion of Cornwall, he stayed those forces, retaining them for his own service and safety. But therewithal he dispatched the earl of Surry into the north, for the defence and strength of those parts, in case the Scots should stir. But for the course he held towards the rebels, it was utterly differing from his former custom and practice: which was ever full of forwardness and celerity to make head against them, or to set upon them as soon as ever they were in action. This he was wont to do. But now, besides that he was attempered by years, and less in love with dangers, by the continued fruition of a crown; it was a time when the various appearance to his thoughts of perils of several natures, and from divers parts, did make him judge it his best and surest way, to keep his strength together in the seat and

centre of his kingdom: according to the ancient Indian emblem, in such a swelling season, to hold the hand upon the middle of the bladder, that no side might rise. Besides, there was no necessity put upon him to alter his counsel. For neither did the rebels spoil the country, in which case it had been dishonour to abandon his people: neither on the other side did their forces gather or increase, which might hasten him to precipitate and assail them before they grew too strong. And lastly, both reason of estate and war seemed to agree with this course: for that insurrections of base people are commonly more furious in their beginnings. And by this means also he had them the more at vantage, being tired and harassed with a long march; and more, at mercy, being cut off far from their country, and therefore not able by any sudden flight to get to retreat, and to renew the troubles.

When therefore the rebels were encamped on Blackheath upon the hill, whence they might behold the city of London, and the fair valley about it; the King knowing well, that it stood him upon, by how much the more he had hitherto protracted the time in not encountering them, by so much the sooner to dispatch with them, that it might appear to have been no coldness in fore-slowing, but wisdom in choosing his time; resolved with all speed to assail them, and yet with that providence and surety, as should leave little to venture or fortune. And having very great and puissant forces about him, the better to master all events and accidents, he divided them into three parts; the first was led by the earl of Oxford in chief, assisted by the earls of Essex and Suffolk. These noblemen were appointed, with some cornets of horse, and bands of foot, and good store of artillery, wheeling about to put themselves beyond the hill where the rebels were encamped; and to beset all the skirts and descents thereof, except those that lay towards London; thereby to have these wild beasts, as it were, in a toil. The second part of his forces, which were those that were to be most in action, and upon which he relied most for the fortune of the day, he did assign to be led by the lord chamberlain, who was appointed to set

upon the rebels in front, from that side which is towards London. The third part of his forces, being likewise great and brave forces, he retained about himself, to be ready upon all events to restore the fight, or consummate the victory; and mean while to secure the city. And for that purpose he encamped in person in Saint George's fields, putting himself between the city and the rebels. But the city of London, especially at the first, upon the near encampment of the rebels, was in great tumult: as it useth to be with wealthy and populous cities, especially those which for greatness and fortune are queens of their regions, who seldom see out of their windows, or from their towers, an army of enemies. But that which troubled them most, was the conceit, that they dealt with a rout of people, with whom there was no composition or condition, or orderly treating, if need were; but likely to be bent altogether upon rapine and spoil. And although they had heard that the rebels had behaved themselves quietly and modestly by the way as they went; yet they doubted much that would not last, but rather make them more hungry, and more in appetite to fall upon spoil in the end. Wherefore there was great running to and fro of people, some to the gates, some to the walls, some to the water-side: giving themselves alarms and panic fears continually. Nevertheless both Tate the lord mayor, and Shaw and Haddon the sheriffs, did their part stoutly and well, in arming and ordering the people. And the King likewise did adjoin some captains of experience in the wars, to advise and assist the citizens. But soon after, when they understood that the King had so ordered the matter, that the rebels must win three battles, before they could approach the city, and that he had put his own person between the rebels and them, and that the great care was, rather how to impound the rebels that none of them might escape, than that any doubt was made to vanquish them; they grew to be quiet and out of fear; the rather for the confidence they reposed, which was not small, in the three leaders, Oxford, Essex, and D'Aubigny; all men well famed and loved amongst the people. As for Jasper duke of Bedford, whom the King used to employ with

the first in his wars, he was then sick, and died soon after.

It was the two and twentieth of June, and a Saturday, which was the day of the week the King fancied, when the battle was fought: though the King had, by all the art he could devise, given out a false day, as if he prepared to give the rebels battle on the Monday following, the better to find them unprovided, and in disarray. The lords that were appointed to circle the hill, had some days before planted themselves, as at the receit, in places convenient. In the afternoon, towards the decline of the day, which was done, the better to keep the rebels in opinion that they should not fight that day, the lord D'Aubigny marched on towards them, and first beat some troops of them from Deptford-bridge, where they fought manfully; but, being in no great number, were soon driven back, and fled up to their main army upon the hill. The army at that time, hearing of the approach of the King's forces, were putting themselves in array, not without much confusion. But neither had they placed, upon the first high ground towards the bridge, any forces to second the troops below, that kept the bridge; neither had they brought forwards their main battle, which stood in array far into the heath, near to the ascent of the hill. So that the earl with his forces mounted the hill, and recovered the plain without resistance. The lord D'Aubigny charged them with great fury; insomuch as it had like, by accident, to have branded the fortune of the day: for, by inconsiderate forwardness in fighting at the head of his troops, he was taken by the rebels, but immediately rescued and delivered. The rebels maintained the fight for a small time, and for their persons shewed no want of courage; but being ill armed, and ill led, and without horse or artillery, they were with no great difficulty cut in pieces, and put to flight. And for their three leaders, the lord Audley, the blacksmith, and Flammock, as commonly the captains of commotions are but half-couraged men, suffered themselves to be taken alive. The number slain on the rebels part were some two thousand men; their army amounting, as it is said, unto the number of six-

teen thousand. The rest were, in effect, all taken; for that the hill, as was said, was encompassed with the King's forces round about. On the King's part there died about three hundred, most of them shot with arrows, which were reported to be of the length of a taylor's yard; so strong and mighty a bow the Cornish-men were said to draw.

The victory thus obtained, the King created divers bannerets, as well upon Blackheath, where his lieutenant had won the field, whither he rode in person to perform the said creation, as in St. George's Fields, where his own person had been encamped. And for matter of liberality, he did, by open edict, give the goods of all the prisoners unto those that had taken them; either to take them in kind, or compound for them, as they could. After matter of honour and liberality, followed matter of severity and execution. The lord Audley was led from Newgate to Tower-Hill, in a paper coat painted with his own arms; the arms reversed, the coat torn, and he at Tower-Hill beheaded. Flammock and the blacksmith were hanged, drawn, and quartered at Tyburn: the blacksmith taking pleasure upon the hurdle, as it seemeth by words that he uttered, to think that he should be famous in after times. The King was once in mind to have sent down Flammock and the blacksmith to have been executed in Cornwall, for the more terror: but being advertised that the country was yet unquiet and boiling, he thought better not to irritate the people farther. All the rest were pardoned by proclamation, and to take out their pardons under seal, as many as would. So that, more than the blood drawn in the field, the King did satisfy himself with the lives of only three offenders, for the expiation of this great rebellion.

It was a strange thing to observe the variety and inequality of the King's executions and pardons: and a man would think it, at the first, a kind of lottery or chance. But, looking into it more nearly, one shall find there was reason for it, much more, perhaps, than after so long a distance of time we can now discern. In the Kentish commotion, which was but an handful of

men, that were executed to the number of one hundred and fifty: and in this so mighty a rebellion but three. Whether it were that the King put to account the men that were slain in the field, or that he was not willing to be severe in a popular cause, or that the harmless behaviour of this people, that came from the west of England to the east, without mischief almost, or spoil of the country, did somewhat mollify him, and move him to compassion; or lastly, that he made a great difference between people that did rebel upon wantonness, and them that did rebel upon want.

After the Cornish-men were defeated, there came from Calais to the King an honourable embassage from the French King, which had arrived at Calais a month before, and there was stayed in respect of the troubles, but honourably entertained and defrayed. The King, at their first coming, sent unto them, and prayed them to have patience, till a little smoke, that was raised in his country were over, which would soon be: Slighting, as his manner was, that openly, which nevertheless he intended seriously.

This embassage concerned no great affair, but only the prolongation of days for payment of moneys, and some other particulars of the frontiers. And it was, indeed, but a wooing embassage, with good respects to entertain the King in good affection; but nothing was done or handled to the derogation of the King's late treaty with the Italians.

But during the time that the Cornish-men were in their march towards London, the King of Scotland, well advertised of all that passed, and knowing himself sure of a war from England, whensoever those stirs were appeased, neglected not his opportunity; but thinking the King had his hands full, entered the frontiers of England again with an army, and besieged the castle of Norham in person, with part of his forces, sending the rest to forage the country. But Fox, bishop of Duresme, a wise man, and one that could see through the present to the future, doubting as much before, had caused his castle of Norham to be strongly fortified, and furnished with all kind of munition: and had manned it likewise

with a very great number of tall soldiers, more than for the proportion of the castle, reckoning rather upon a sharp assault than a long siege. And for the country likewise, he had caused the people to withdraw their cattle and goods into fast places, that were not of easy approach; and sent in post to the earl of Surry, who was not far off, in Yorkshire, to come in diligence to the succour. So as the Scotish King both failed of doing good upon the castle, and his men had but a catching harvest of their spoils: and when he understood that the earl of Surry was coming on with great forces he returned back into Scotland. The earl, finding the castle freed, and the enemy retired, pursued with all celerity into Scotland, hoping to have overtaken the Scotish King, and to have given him battle; but, not attaining him in time, sat down before the castle of Aton, one of the strongest places, then esteemed, between Berwick and Edinburgh, which in a small time he took. And soon after, the Scotish King retiring farther into his country, and the weather being extraordinary foul and stormy, the earl returned into England. So that the expeditions on both parts were, in effect, but a castle taken, and a castle distressed; not answerable to the puissance of the forces, nor to the heat of the quarrel, nor to the greatness of the expectation.

Amongst these troubles, both civil and external, came into England from Spain, Peter Hialas, some call him Elias, surely he was the forerunner of the good hap that we enjoy at this day: for his embassage set the truce between England and Scotland; the truce drew on the peace; the peace the marriage; and the marriage the union of the kingdoms; a man of great wisdom, and, as those times were, not unlearned; sent from Ferdinando and Isabella, Kings of Spain, unto the King, to treat a marriage between Catharine, their second daughter, and Prince Arthur. This treaty was by him set in a very good way, and almost brought to perfection. But it so fell out by the way, that upon some conference which he had with the King touching this business, the King, who had a great dexterity in getting suddenly into the bosom of the ambassadors of foreign Princes, if he liked

the men; insomuch as he would many times communicate with them of his own affairs, yea, and employ them in his service, fell into speech and discourse incidently, concerning the ending of the debates and differences with Scotland. For the King naturally did not love the barren wars with Scotland, though he made his profit of the noise of them. And he wanted not in the council of Scotland, those that would advise their King to meet him at the half way, and to give over the war with England; pretending to be good patriots, but indeed favouring the affairs of the King. Only his heart was too great to begin with Scotland for the motion of peace. On the other side, he had met with an ally of Ferdinando of Arragon, as fit for his turn as could be. For after that King Ferdinando had, upon assured confidence of the marriage to succeed, taken upon him the person of a fraternal ally to the King, he would not let, in a Spanish gravity, to counsel the king in his own affairs. And the King on his part, not being wanting to himself, but making use of every man's humours, made his advantage of this in such things as he thought either not decent, or not pleasant to proceed from himself; putting them off as done by the counsel of Ferdinando. Wherefore he was content that Hialas, as in a matter moved and advised from Hialas himself, should go into Scotland, to treat of a concord between the two Kings. Hialas took it upon him, and coming to the Scotish King, after he had with much art brought King James to hearken to the more safe and quiet counsels, wrote unto the King, that he hoped that peace would with no great difficulty cement and close, if he would send some wise and temperate counsellor of his own, that might treat of the conditions. Whereupon the King directed bishop Fox, who at that time was at his castle of Norham, to confer with Hialas, and they both to treat with some commissioners deputed from the Scotish King. The commissioners on both sides met. But after much dispute upon the articles and conditions of peace, propounded upon either part, they could not conclude a peace. The chief impediment thereof was the demand of the King to have Perkin delivered into his hands, as

a reproach to all Kings, and a person not protected by the law of nations. The King of Scotland, on the other side, peremptorily denied so to do, saying, that he, for his part, was no competent judge of Perkin's title: but that he had received him as a suppliant, protected him as a person fled for refuge, espoused him with his kinswoman, and aided him with his arms, upon the belief that he was a prince; and therefore that he could not now with his honour so unrip, and, in a sort, put a lye upon all that he had said and done before, as to deliver him up to his enemies. The bishop likewise, who had certain proud instructions from the King, at the least in the front, though there were a pliant clause at the foot, that remitted all to the bishop's discretion, and required him by no means to break off in ill terms, after that he had failed to obtain the delivery of Perkin, did move a second point of his instructions, which was, that the Scotish King would give the King an interview in person at Newcastle. But this being reported to the Scotish King, his answer was, that he meant to treat a peace, and not to go a begging for it. The bishop also, according to another article of his instructions, demanded restitution of the spoils taken by the Scotish, or damages for the same. But the Scotish commissioners answered that that was but as water spilt upon the ground, which could not be gotten up again; and that the King's people were better able to bear the loss, than their master to repair it. But in the end, as persons capable of reason, on both sides they made rather a kind of recess than a breach of treaty, and concluded upon a truce for some months following. But the King of Scotland, though he would not formally retract his judgment of Perkin, wherein he had engaged himself so far; yet in his private opinion, upon often speech with the Englishmen, and divers other advertisements, began to suspect him for a counterfeit. Wherefore in a noble fashion he called him unto him, and recounted the benefits and favours that he had done him in making him his ally, and in provoking a mighty and opulent King by an offensive war in his quarrel, for the space of two years together; nay more, that he had refused an honourable peace,

whereof he had a fair offer, if he would have delivered him; and that, to keep his promise with him, he had deeply offended both his nobles and people, whom he might not hold in any long discontent: and therefore required him to think of his own fortunes, and to choose out some fitter place for his exile: Telling him withal, that he could not say, but the English had forsaken him before the Scotish, for that, upon two several trials, none had declared themselves on his side; but nevertheless he would make good what he said to him at his first receiving, which was that he should not repent him for putting himself into his hands; for that he would not cast him off, but help him with shipping and means to transport him where he should desire. Perkin, not descending at all from his stage-like greatness, answered the King in few words, that he saw his time was not yet come; but whatsoever his fortunes were, he should both think and speak honour of the King. Taking his leave, he would not think of Flanders, doubting it was but hollow ground for him since the treaty of the archduke, concluded the year before; but took his lady, and such followers as would not leave him, and sailed over into Ireland.

This twelfth year of the King, a little before this time, Pope Alexander, who loved best those Princes that were furthest off, and with whom he had least to do, taking very thankfully the King's late entrance into league for the defence of Italy, did remunerate him with an hallowed sword and cap of maintenance sent by his nuncio. Pope Innocent had done the like, but it was not received in that glory: for the King appointed the mayor and his brethren to meet the Pope's orator at London-bridge, and all the streets between the bridge foot, and the palace of Paul's, where the King then lay, were garnished with the citizens, standing in their liveries. And the morrow after, being Allhallows day, the King attended with many of his prelates, nobles, and principal courtiers, went in procession to Paul's, and the cap and sword were born before him. And after the procession, the King himself remaining seated in the quire, the lord archbishop, upon the greece of the quire

made a long oration: setting forth the greatness and eminency of that honour which the Pope, in these ornaments and ensigns of benediction, had done the King; and how rarely, and upon what high deserts, they used to be bestowed: And then recited the King's principal acts and merits, which had made him appear worthy, in the eyes of his holiness, of this great honour.

All this while the rebellion of Cornwall, whereof we have spoken, seemed to have no relation to Perkin; save that perhaps Perkin's proclamation had stricken upon the right vein, in promising to lay down exactions and payments, and so had made them now and then have a kind thought on Perkin. But now these bubbles by much stirring began to meet, as they use to do upon the top of water. The King's lenity, by that time the Cornish rebels, who were taken and pardoned, and, as it was said, many of them sold by them that had taken them, for twelve pence and two shillings apiece, were come down into their country, had rather emboldened them, than reclaimed them; insomuch as they stuck not to say to their neighbours and countrymen, that the King did well to pardon them, for that he knew he should leave few subjects in England, if he hanged all that were of their mind: and began whetting and inciting one another to renew the commotion. Some of the subtilest of them, hearing of Perkin's being in Ireland, found means to send to him to let him know, that if he would come over to them, they would serve him.

When Perkin heard this news, he began to take heart again, and advised upon it with his council, which were principally three; Herne a mercer, that had fled for debt; Skelton a taylor, and Astley a scrivener; for secretary Frion was gone. These told him, that he was mightily overseen, both when he went into Kent, and when he went into Scotland; the one being a place so near London, and under the King's nose; and the other a nation so distasted with the people of England, that if they had loved him never so well, yet they would never have taken his part in that company. But if he had been so happy as to have been in Cornwall at the first, when the people began to take arms there, he had been crown-

ed at Westminster before this time. For these Kings, as he had now experience, would sell poor Princes for shoes. But he must rely wholly upon people; and therefore advised him to sail over with all possible speed into Cornwall: which accordingly he did; having in his company four small barks, with some sixscore or sevenscore fighting men. He arrived in September at Whitsand-Bay, and forthwith came to Bodmin, the blacksmith's town; where there assembled unto him to the number of three thousand men of the rude people. There he set forth a new proclamation, stroking the people with fair promises, and humouring them with invectives against the King and his government. And as it fareth with smoke, that never loseth itself till it be at the highest; he did now before his end raise his stile, intitling himself no more Richard duke of York, but Richard the fourth, King of England. His council advised him by all means to make himself master of some good walled town; as well to make his men find the sweetness of rich spoils, and to allure to him all loose and lost people, by like hopes of booty; as to be a sure retreat to his forces, in case they should have any ill day, or unlucky chance in the field. Wherefore they took heart to them, and went on, and besieged the city of Exeter, the principal town for strength and wealth in those parts.

When they were come before Exeter, they forbare to use any force at the first, but made continual shouts and outcries to terrify the inhabitants. They did likewise in divers places call and talk to them from under the walls, to join with them, and be of their party; telling them, that the King would make them another London, if they would be the first town that should acknowledge him. But they had not the wit to send to them, in any orderly fashion, agents or chosen men, to tempt them, and to treat with them. The citizens on their part shewed themselves stout and loyal subjects: neither was there so much as any tumult or division amongst them, but all prepared themselves for a valiant defence, and making good the town. For well they saw, that the rebels were of no such number or power, that they needed to fear them as yet; and well they hoped, that before their numbers increased,

the King's succours would come in. And, howsoever, they thought it the extremest of evils, to put themselves at the mercy of those hungry and disorderly people. Wherefore setting all things in good order within the town, they nevertheless let down with cords, from several parts of the walls privily, several messengers, that if one came to mischance, another might pass on, which should advertise the King of the state of the town, and implore his aid. Perkin also doubted that succours would come ere long; and therefore resolved to use his utmost force to assault the town. And for that purpose having mounted scaling ladders in divers places upon the walls, made at the same instant an attempt to force one of the gates. But having no artillery nor engines, and finding that he could do no good by ramming with logs of timber, nor by the use of iron bars, and iron crows, and such other means at hand, he had no way left him but to set one of the gates on fire, which he did. But the citizens well perceiving the danger, before the gate could be fully consumed, blocked up the gate, and some space about it on the inside, with faggots and other fuel, which they likewise set on fire, and so repulsed fire with fire; and in the mean time raised up rampiers of earth, and cast up deep trenches, to serve instead of wall and gate. And for the scaladoes, they had so bad success, as the rebels were driven from the walls with the loss of two hundred men.

The King when he heard of Perkin's siege of Exeter, made sport with it, and said to them that were about him, that the King of rake-hells was landed in the west, and that he hoped now to have the honour to see him, which he could never yet do. And it appeared plainly to those that were about the King, that he was indeed much joyed with the news of Perkin's being in English ground, where he could have no retreat by land; thinking now, that he should be cured of those privy stitches, which he had long had about his heart, and at some times broken his sleeps, in the midst of all his felicity. And to set all mens hearts on fire, he did by all possible means let it appear, that those that should now do him service to make an end of these troubles, should be no less accepted of him, than he that came upon the eleventh hour, and had

the whole wages of the day. Therefore now, like the end of a play, a great number came upon the stage at once. He sent the lord chamberlain, and the lord Brook, and Sir Rice ap Thomas, with expedite forces to speed to Exeter, to the rescue of the town, and to spread the fame of his own following in person with a royal army. The earl of Devonshire, and his son, with the Carews, and the Fulfordes, and other principal persons of Devonshire, uncalled from the court, but hearing that the King's heart was so much bent upon this service, made haste with troops that they had raised, to be the first that should succour the city of Exeter, and prevent the King's succours. The duke of Buckingham likewise, with many brave gentlemen, put themselves in arms, not staying either the King's or the lord chamberlain's coming on, but making a body of forces of themselves, the more to endear their merit; signifying to the King their readiness, and desiring to know his pleasure. So that according to the proverb, in the coming down, every saint did help.

Perkin, hearing this thunder of arms, and preparations against him from so many parts, raised his siege, and marched to Taunton; beginning already to squint one eye upon the crown and another upon the sanctuary; though the Cornish-men were become like metal often fired and quenched, churlish, and that would sooner break than bow; swearing and vowing not to leave him, till the uttermost drop of their blood were spilt. He was at his rising from Exeter between six and seven thousand strong, many having come unto him after he was set before Exeter, upon fame of so great an enterprise, and to partake of the spoil; though upon the raising of the siege some did slip away. When he was come near Taunton, he dissembled all fear, and seemed all the day to use diligence in preparing all things ready to fight. But about midnight, he fled with threescore horse to Bewdley in the New Forest, where he and divers of his company registered themselves sanctuary men, leaving his Cornish-men to the four winds; but yet thereby easing them of their vow, and using his wonted compassion, not to be by when his subjects blood should be spilt. The King, as soon as he heard of Perkin's flight,

sent presently five hundred horse to pursue and apprehend him, before he should get either to the sea, or to that same little island, called a sanctuary. But they came too late for the latter of these. Therefore all they could do, was to beset the sanctuary, and to maintain a strong watch about it, till the King's pleasure were farther known. As for the rest of the rebels, they, being destitute of their head, without stroke stricken, submitted themselves unto the King's mercy. And the King, who commonly drew blood, as physicians do, rather to save life than to spill it, and was never cruel when he was secure; now he saw the danger was past, pardoned them all in the end, except some few desperate persons, which he reserved to be executed, the better to set off his mercy towards the rest. There were also sent with all speed some horse to Saint Michael's mount in Cornwall, where the lady Catharine Gordon was left by her husband, whom in all fortunes she entirely loved; adding the virtues of a wife to the virtues of her sex. The King sent in the greater diligence, not knowing whether she might be with child, whereby the business would not have ended in Perkin's person. When she was brought to the King, it was commonly said, that the King received her not only with compassion, but with affection; pity giving more impression to her excellent beauty. Wherefore comforting her to serve as well his eye as his fame, he sent her to his Queen, to remain with her; giving her a very honorable allowance for the support of her estate, which she enjoyed both during the King's life, and many years after. The name of the White-rose, which had been given to her husband's false title, was continued in common speech to her true beauty.

The King went forwards on his journey, and made a joyful entrance into Exeter, where he gave the citizens great commendations and thanks; and taking the sword he wore from his side, he gave it to the mayor, and commanded it should be ever after carried before him. There also he caused to be executed some of the ring-leaders of the Cornish-men, in sacrifice to the citizens whom they had put in fear and trouble. At Exeter the King consulted with his council, whether he should offer life to

Perkin if he would quit the sanctuary, and voluntarily submit himself. The council were divided in opinion: some advised the King to take him out of sanctuary perforce, and to put him to death, as in a case of necessity, which in itself dispenseth with consecrated places and thing: wherein they doubted not also but the King should find the Pope tractable to ratify his deed, either by declaration, or, at least, by indulgence. Others were of opinion, since all was now safe, and no farther hurt could be done, that it was not worth the exposing of the King to new scandal and envy. A third sort fell upon the opinion, that it was not possible for the King ever, either to satisfy the world well touching the imposture, or to learn out the bottom of the conspiracy, except by promise of life and pardon, and other fair means, he should get Perkin into his hands. But they did all in their preambles much bemoan the King's case, with a kind of indignation at his fortune; that a Prince of his high wisdom and virtue, should have been so long and so oft exercised and vexed with idols. But the King said, that it was the vexation of God Almighty himself to be vexed with idols, and therefore that that was not to trouble any of his friends; and that for himself, he always despised them; but was grieved that they had put his people to such trouble and misery. But in conclusion, he leaned to the third opinion, and so sent some to deal with Perkin: who seeing himself prisoner, and destitute of all hopes, having tried princes and people, great and small, and found all either false, faint, or unfortunate, did gladly accept of the condition. The King did also, while he was at Exeter, appoint the lord Darcy, and others commissioners, for the finding of all such as were of any value and had any hand or partaking in the aid of Perkin, or the Cornish-men, either in the field or in the flight.

These commissioners proceeded with such strictness and severity, as did much obscure the King's mercy in sparing of blood, with the bleeding of so much treasure. Perkin was brought into the King's court, but not to the King's presence; though the King, to satisfy his curiosity, saw him sometimes out of a window, or in pas-

sage. He was in shew at liberty, but guarded with all care and watch that was possible, and willed to follow the King to London. But from his first appearance upon the stage, in his new person of a sycophant or jugler, instead of his former person of a prince, all men may think how he was exposed to the derision not only of the courtiers, but also of the common people, who flocked about him as he went along; that one might know afar off where the owl was, by the flight of birds; some mocking, some wondering, some cursing, some prying and picking matter out of his countenance and gesture to talk of: So that the false honour and respects which he had so long enjoyed, was plentifully repaid in scorn and contempt. As soon as he was come to London, the King gave also the city the solace of this may-game; for he was conveyed leisurely on horseback, but not in any ignominious fashion, through Cheapside and Cornhill, to the Tower; and from thence back again to Westminster, with the[1] churm of a thousand taunts and reproaches. But to amend the show, there followed a little distance off Perkin, an inward counsellor of his, one that had been sergeant farrier to the King. This fellow, when Perkin took sanctuary, chose rather to take an holy habit than an holy place, and clad himself like an hermit, and in that weed wandered about the country, till he was discovered and taken. But this man was bound hand and foot upon the horse, and came not back with Perkin, but was left at the Tower, and within few days after executed. Soon after, now that Perkin could tell better what himself was, he was diligently examined; and after his confession taken, an extract was made of such parts of them, as were thought fit to be divulged, which was printed and dispersed abroad: wherein the King did himself no right: for as there was a laboured tale of particulars, of Perkin's father and mother, and grandsire and grandmother, and uncles and cousins, by names and surnames, and from what places he travelled up and down; so there was little or nothing to purpose of any thing concerning his designs, or any practices that had been held with him; nor the duchess of Burgundy herself, that all the world did take

[1] cum choro.

knowledge of, as the person that had put life and being into the whole business, so much as named or pointed at. So that men missing of that they looked for, looked about for they knew not what, and were in more doubt than before: but the King chose rather not to satisfy, than to kindle coals. At that time also it did not appear by any new examination or commitments, that any other person of quality was discovered or appeached, though the King's closeness made that a doubt dormant.

About this time a great fire in the night-time suddenly began at the King's palace of Shene, near unto the King's own lodgings, whereby a great part of the building was consumed, with much costly household stuff; which gave the King occasion of building from the ground that fine pile of Richmond, which is now standing.

Somewhat before this time also, there fell out a memorable accident: There was one Sebastian Gabato, a Venetian, dwelling in Bristol, a man seen and expert in cosmography and navigation. This man seeing the success, and emulating perhaps the enterprise of Christopherus Columbus in that fortunate discovery towards the south-west, which had been by him made some six years before, conceited with himself, that lands might likewise be discovered towards the north-west. And surely it may be he had more firm and pregnant conjectures of it, than Columbus had of this at the first. For the two great islands of the old and new world, being, in the shape and making of them, broad towards the north, and pointed towards the south: it is likely, that the discovery first began where the lands did nearest meet. And there had been before that time a discovery of some lands, which they took to be islands, and were indeed the continent of America, towards the north-west. And it may be that some relation of this nature coming afterwards to the knowledge of Columbus, and by him suppressed (desirous rather to make his enterprise the child of his science and fortune, than the follower of a former discovery) did give him better assurance, that all was not sea, from the west of Europe and Africa unto Asia, than either Seneca's prophecy or Plato's antiquities, or the nature of the tides and land-winds, and the like, which

were the conjectures that were given out, whereupon he should have relied: though I am not ignorant, that it was likewise laid unto the casual and wind-beaten discovery, a little before, of a Spanish pilot, who died in the house of Columbus. But this Gabato bearing the King in hand, that he would find out an island endued with rich commodities, procured him to man and victual a ship at Bristol, for the discovery of that island: with whom ventured also three small ships of London merchants, fraught with some gross and slight wares, fit for commerce with barbarous people. He sailed, as he affirmed at his return, and made a chart thereof, very far westwards, with a quarter of the north, on the north side of Terra de Labrador, until he came to the latitude of sixty-seven degrees and an half, finding the seas still open. It is certain also, that the King's fortune had a tender of that great empire of the West-Indies. Neither was it a refusal on the King's part, but a delay by accident, that put by so great an acquest: for Christophorus Columbus, refused by the King of Portugal, who would not embrace at once both east and west, employed his brother Bartholomæus Columbus unto King Henry, to negotiate for his discovery: and it so fortuned, that he was taken by pirates at sea, by which accidental impediment he was long ere he came to the King: so long, that before he had obtained a capitulation with the King for his brother, the enterprise by him was atchieved, and so the West-Indies by providence were then reserved for the crown of Castile. Yet this sharpened the King so, that not only in this voyage, but again in the sixteenth year of his reign, and likewise in the eighteenth thereof, he granted forth new commissions for the discovery and investing of unknown lands.

In this fourteenth year also, by God's wonderful providence, that boweth things unto his will, and hangeth great weights upon small wires, there fell out a trifling and untoward accident, that drew on great and happy effects. During the truce with Scotland, there were certain Scotish young gentlemen that came into Norham town, and there made merry with some of the English of the town: and having little to do, went sometimes

forth, and would stand looking upon the castle. Some of the garrison of the castle, observing this their doing twice or thrice, and having not their minds purged of the late ill blood of hostility, either suspected them, or quarelled them for spies; whereupon they fell at ill words, and from words to blows; so that many were wounded of either side, and the Scotish-men, being strangers in the town, had the worst; insomuch that some of them were slain, and the rest made haste home. The matter being complained on, and often debated before the wardens of the marches of both sides, and no good order taken: the King of Scotland took it to himself, and being much kindled, sent a herald to the King to make protestation, that if reparation were not done, according to the conditions of the truce, his King did denounce war. The King, who had often tried fortune, and was inclined to peace, made answer, that what had been done, was utterly against his will, and without his privity; but if the garrison soldiers had been in fault, he would see them punished, and the truce in all points to be preserved. But this answer seemed to the Scotish King but a delay, to make the complaint breathe out with time; and therefore it did rather exasperate him than satisfy him. Bishop Fox, understanding from the King that the Scotish King was still discontent and impatient, being troubled that the occasion of breaking of the truce should grow from his men, sent many humble and deprecatory letters to the Scotish King to appease him. Whereupon King James, mollified by the bishop's submissive and eloquent letters, wrote back unto him, that though he were in part moved by his letters, yet he should not be fully satisfied, except he spake with him, as well about the compounding of the present differences, as about other matters that might concern the good of both kingdoms. The bishop, advising first with the King, took his journey for Scotland. The meeting was at Melross, an abbey of the Cistercians, where the King then abode. The King first roundly uttered unto the bishop his offence conceived for the insolent breach of truce, by his men of Norham castle; whereunto bishop Fox made such humble and smooth answer, as it was like oil unto

the wound, whereby it began to heal: and this was done in the presence of the King and his council. After, the King spake with the bishop apart, and opened himself unto him, saying, that these temporary truces and peaces were soon made, and soon broken, but that he desired a straiter amity with the King of England; discovering his mind, that if the King would give him in marriage the lady Margaret, his eldest daughter, that indeed might be a knot indissoluble. That he knew well what place and authority the bishop deservedly had with his master: therefore, if he would take the business to heart, and deal in it effectually, he doubted not but it would succeed well. The bishop answered soberly, that he thought himself rather happy than worthy to be an instrument in such a matter, but would do his best endeavour. Wherefore the bishop returning to the King, and giving account what had passed, and finding the King more than well disposed in it, gave the King advice; first to proceed to a conclusion of peace, and then to go on with the treaty of marriage by degrees. Hereupon a peace was concluded, which was published a little before Christmas, in the fourteenth year of the King's reign, to continue for both the Kings lives, and the over-liver of them, and a year after. In this peace there was an article contained, that no Englishman should enter into Scotland, and no Scotishman into England, without letters commendatory from the Kings of either nation. This at the first sight might seem a means to continue a strangeness between the nations; but it was done to lock in the borderers.

This year there was also born to the King a third son, who was christened by the name of Edmund, and shortly after died. And much about the same time came news of the death of Charles the French King, for whom there were celebrated solemn and princely obsequies.

It was not long but Perkin, who was made of quicksilver, which is hard to hold or imprison, began to stir. For deceiving his keepers, he took him to his heels, and made speed to the sea-coast. But presently all corners were laid for him, and such diligent pursuit and search made, as he was fain to turn back, and get him to the house of Bethlehem, called the priory of Shene (which

had the privilege of sanctuary) and put himself into the hands of the prior of that monastery. The prior was thought an holy man, and much reverenced in those days. He came to the King, and besought the King for Perkin's life only, leaving him otherwise to the King's discretion. Many about the King were again more hot than ever, to have the King to take him forth and hang him. But the King that had a high stomach, and could not hate any that he despised, bid, "Take him forth, and set the knave in the stocks;" and so promising the prior his life, he caused him to be brought forth. And within two or three days after, upon a scaffold set up in the palace court at Westminster, he was fettered and set in the stocks for the whole day. And the next day after, the like was done by him at the cross in Cheapside, and in both places he read his confession, of which we made mention before; and was from Cheapside conveyed and laid up in the Tower. Notwithstanding all this, the King was, as was partly touched before, grown to be such a partner with fortune, as no body could tell what actions the one, and what the other owned. For it was believed generally, that Perkin was betrayed, and that this escape was not without the King's privity, who had him all the time of his flight in a line; and that the King did this, to pick a quarrel to him to put him to death, and to be rid of him at once: but this is not probable. For that the same instruments who observed him in his flight, might have kept him from getting into sanctuary.

But it was ordained, that this winding-ivy of a Plantagenet should kill the true tree itself. For Perkin, after he had been a while in the tower, began to insinuate himself into the favour and kindness of his keepers, servants to the lieutenant of the Tower Sir John Digby, being four in number; Strangeways, Blewet, Astwood, and Long Roger. These varlets, with mountains of promises, he sought to corrupt, to obtain his escape; but knowing well, that his own fortunes were made so contemptible, as he could feed no man's hopes, and by hopes he must work, for rewards he had none, he had contrived with himself a vast and tragical plot; which was to draw into his company Edward Plantagenet earl of War-

wick, then prisoner in the Tower; whom the weary life of a long imprisonment, and the often and renewing fears of being put to death, had softened to take any impression of counsel for his liberty. This young Prince he thought the servants would look upon, though not upon himself: and therefore, after that by some message by one or two of them, he had tasted of the earl's consent; it was agreed that these four should murder their master the lieutenant secretly in the night, and make their best of such money and portable goods of his, as they should find ready at hand, and get the keys of the Tower, and presently let forth Perkin and the earl. But this conspiracy was revealed in time, before it could be executed. And in this again the opinion of the King's great wisdom did surcharge him with a sinister fame, that Perkin was but his bait, to entrap the earl of Warwick. And in the very instant while this conspiracy was in working, as if that also had been the King's industry, it was fatal, that there should break forth a counterfeit earl of Warwick, a cordwainer's son, whose name was Ralph Wilford; a young man taught and set on by an Augustin frier, called Patrick. They both from the parts of Suffolk came forwards into Kent, where they did not only privily and underhand give out that this Wilford was the true earl of Warwick, but also the frier, finding some light credence in the people, took the boldness in the pulpit to declare as much, and to incite the people to come in to his aid. Whereupon they were both presently apprehended, and the young fellow executed, and the frier condemned to perpetual imprisonment. This also happening so opportunely, to represent the danger to the King's estate from the earl of Warwick, and thereby to colour the King's severity that followed; together with the madness of the frier so vainly and desperately to divulge a treason, before it had gotten any manner of strength; and the saving of the frier's life, which nevertheless was, indeed, but the privilege of his order; and the pity in the common people, which if it run in a strong stream, doth ever cast up scandal and envy, made it generally rather talked than believed that all was but the King's device. But howsoever it were, hereupon

Perkin, that had offended against grace now the third time, was at the last proceeded with, and by commissioners of oyer and terminer, arraigned at Westminster, upon divers treasons committed and perpetrated after his coming on land within this kingdom, for so the judges advised, for that he was a foreigner, and condemned, and a few days after executed at Tyburn; where he did again openly read his confession, and take it upon his death to be true. This was the end of this little cockatrice of a King, that was able to destroy those that did not espy him first. It was one of the longest plays of that kind that hath been in memory, and might perhaps have had another end, if he had not met with a King both wise, stout, and fortunate.

As for Perkin's three counsellors, they had registred themselves sanctuary-men when their master did; and whether upon pardon obtained, or continuance within the privilege, they came not to be proceeded with.

There were executed with Perkin, the mayor of Cork and his son, who had been principal abettors of his treasons. And soon after were likewise condemned eight other persons about the Tower conspiracy, whereof four were lieutenant's men: but of those eight but two were executed. And immediately after was arraigned before the earl of Oxford, then for the time high steward of England, the poor Prince, the earl of Warwick; not for the attempt to escape simply, for that was not acted; and besides, the imprisonment not being for treason, the escape by law could not be treason, but for conspiring with Perkin to raise sedition, and to destroy the King: and the earl confessing the indictment, had judgment, and was shortly after beheaded on Tower-hill.

This was also the end, not only of this noble and commiserable person Edward the earl of Warwick, eldest son to the duke of Clarence; but likewise of the line male of the Plantagenets, which had flourished in great royalty and renown, from the time of the famous King of England, King Henry the second. Howbeit it was a race often dipped in their own blood. It hath remained since only transplanted into other names, as well of the imperial line, as of other noble houses. But it was nei-

ther guilt of crime, nor reason of state, that could quench the envy that was upon the King for this execution: so that he thought good to export it out of the land, and to lay it upon his new ally, Ferdinando King of Spain. For these two Kings understanding one another at half a word, so it was that there were letters shewed out of Spain, whereby in the passages concerning the treaty of the marriage, Ferdinando had written to the King in plain terms, that he saw no assurance of his succession as long as the earl of Warwick lived; and that he was loth to send his daughter to troubles and dangers. But hereby, as the King did in some part remove the envy from himself; so he did not observe, that he did withal bring a kind of malediction and infausting upon the marriage, as an ill prognostic: which in event so far proved true, as both Prince Arthur enjoyed a very small time after the marriage, and the lady Catharine herself, a sad and a religious woman, long after, when King Henry the eighth his resolution of a divorce from her was first made known to her, used some words, that she had not offended, but it was a judgment of God, for that her former marriage was made in blood; meaning that of the earl of Warwick.

This fifteenth year of the King, there was a great plague both in London and in divers parts of the kingdom. Wherefore the King, after often change of places, whether to avoid the danger of the sickness, or to give occasion of an interview with the archduke, or both, sailed over with his Queen to Calais. Upon his coming thither, the archduke sent an honourable embassage unto him, as well to welcome him into those parts, as to let him know, that if it pleased him, he would come and do him reverence. But it was said withal, that the King might be pleased to appoint some place, that were out of any walled town or fortress, for that he had denied the same upon like occasion to the French King: and though, he said, he made a great difference between the two Kings, yet he would be loth to give a precedent, that might make it after to be expected at his hands, by another whom he trusted less. The King accepted of the courtesy, and admitted of his excuse, and appointed the place

to be at Saint Peter's church without Calais. But withal he did visit the archduke with ambassadors sent from himself, which were the lord St. John, and the secretary; unto whom the archduke did the honour, as, going to mass at Saint Omer's, to set the lord St. John on his right hand, and the secretary on his left, and so to ride between them to church. The day appointed for the interview the King went on horseback some distance from Saint Peter's church, to receive the archduke: and upon their approaching, the archduke made haste to light, and offered to hold the King's stirrup at his alighting; which the King would not permit, but descending from horseback, they embraced with great affection; and withdrawing into the church to a place prepared, they had long conference, not only upon the confirmation of former treaties, and the freeing of commerce, but upon cross marriages, to be had between the duke of York, the King's second son, and the archduke's daughter; and again between Charles, the archduke's son and heir, and Mary the King's second daughter. But these blossoms of unripe marriages were but friendly wishes, and the airs of loving entertainment; though one of them came afterwards to conclusion in treaty, though not in effect. But during the time that the two Princes convened and communed together in the suburbs of Calais, the demonstrations on both sides were passing hearty and affectionate, especially on the part of the archduke: who, besides that he was a prince of an excellent good nature, being conscious to himself how drily the King had been used by his council in the matter of Perkin, did strive by all means to recover it in the King's affection. And having also his ears continually beaten with the counsels of his father and father-in-law, who, in respect of their jealous hatred against the French King, did always advise the archduke to anchor himself upon the amity of King Henry of England; was glad upon this occasion to put in ure and practise their precepts, calling the King patron and father, and protector, these very words the King repeats, when he certified of the loving behaviour of the archduke to the city, and what else he could devise, to express his love and observance to the King. There came also to the King, the gover-

nor of Picardy, and the bailiff of Amiens, sent from Lewis the French King to do him honour, and to give him knowledge of his victory, and winning of the duchy of Milan. It seemeth the King was well pleased with the honours he received from those parts, while he was at Calais; for he did himself certify all the news and occurrents of them in every particular, from Calais, to the mayor and aldermen of London, which, no doubt, made no small talk in the city. For the King, though he could not entertain the good will of the citizens, as Edward the fourth did; yet by affability and other princely graces, did ever make very much of them, and apply himself to them.

This year also died John Morton, archbishop of Canterbury, chancellor of England, and cardinal. He was a wise man, and eloquent, but in his nature harsh and haughty: much accepted by the King, but envied by the nobility, and hated of the people. Neither was his name left out of Perkin's proclamation for any good will, but they would not bring him in amongst the King's casting counters, because he had the image and superscription upon him of the Pope, in his honour of cardinal. He won the King with secrecy and diligence, but chiefly because he was his old servant in his less fortunes: and also for that, in his affections, he was not without an inveterate malice against the house of York, under whom he had been in trouble. He was willing also to take envy from the King, more than the King was willing to put upon him: for the King cared not for subterfuges, but would stand envy, and appear in any thing that was to his mind; which made envy still grow upon him more universal, but less daring. But in the matter of exactions, time did after shew, that the bishop in feeding the King's humour did rather temper it. He had been by Richard the third committed, as in custody, to the duke of Buckingham, whom he did secretly incite to revolt from King Richard. But after the duke was engaged, and thought the bishop should have been his chief pilot in the tempest, the bishop was gotten into the cock-boat, and fled over beyond seas. But whatsoever else was in the man, he deserveth a most happy memory, in that he was the principal mean

of joining the two roses. He died of great years, but of strong health and powers.

The next year, which was the sixteenth year of the King, and the year of our Lord one thousand five hundred, was the year of jubile at Rome. But Pope Alexander, to save the hazard and charges of mens journeys to Rome, thought good to make over those graces by exchange, to such as would pay a convenient rate, seeing they could not come to fetch them. For which purpose was sent into England, Jasper Pons, a Spaniard, the Pope's commissioner, better chosen than were the commissioners of Pope Leo afterwards employed for Germany; for he carried the business with great wisdom, and semblance of holiness: insomuch as he levied great sums of money within this land to the Pope's use, with little or no scandal. It was thought the King shared in the money. But it appeareth by a letter which cardinal Adrian, the King's pensioner, wrote to the King from Rome some few years after, that this was not so. For this cardinal, being to persuade Pope Julius, on the King's behalf, to expedite the bull of dispensation for the marriage between Prince Henry and the lady Catharine, finding the Pope difficile in granting thereof, doth use it as a principal argument concerning the King's merit towards that see, that he had touched none of those deniers which had been levied by Pons in England. But that it might the better appear, for the satisfaction of the common people, that this was consecrated money, the same nuncio brought unto the King a brief from the Pope, wherein the King was exhorted and summoned to come in person against the Turk: for that the Pope, out of the care of an universal father, seeing almost under his eyes the successes and progresses of that great enemy of the faith, had had in the conclave, and with the assistance of the ambassadors of foreign Princes, divers consultations about an holy war, and a general expedition of Christian Princes against the Turk: wherein it was agreed and thought fit, that the Hungarians, Polonians, and Bohemians, should make a war upon Thracia; the French and Spaniards upon Græcia; and that the Pope, willing

to sacrifice himself in so good a cause, in person, and in company of the King of England, the Venetians, and such other states as were great in maritime power, would sail with a puissant navy through the Mediterranean unto Constantinople. And that to this end, his holiness had sent Nuncios to all Christian Princes; as well for a cessation of all quarrels and differences amongst themselves, as for speedy preparations and contributions of forces and treasure for this sacred enterprise.

To this the King, who understood well the court of Rome, made an answer rather solemn than serious: signifying,

"That no prince on earth should be more forward and obedient, both by his person, and by all his possible forces and fortunes, to enter into this sacred war, than himself. But that the distance of place was such, as no forces that he should raise for the seas, could be levied or prepared but with double the charge, and double the time, at the least, that they might be from the other Princes, that had their territories nearer adjoining. Besides, that neither the manner of his ships, having no galleys, nor the experience of his pilots and mariners, could be so apt for those seas as theirs. And therefore that his holiness might do well to move one of those other Kings, who lay fitter for the purpose, to accompany him by sea. Whereby both all things would be sooner put in readiness, and with less charge, and the emulation and division of command, which might grow between those Kings of France and Spain, if they should both join in the war by land upon Græcia, might be wisely avoided: and that for his part he would not be wanting in aids and contribution. Yet notwithstanding, if both these Kings should refuse, rather than his holiness should go alone, he would wait upon him as soon as he could be ready: always provided, that he might first see all differences of the Christian Princes amongst themselves fully laid down and appeased, as for his own part he was in none, and that he might have some good towns upon the coast in Italy put into his hands, for the retreat and safeguard of his men."

With this answer Jasper Pons returned, nothing at

all discontented: and yet this declaration of the King, as superficial as it was, gave him that reputation abroad, as he was not long after elected by the knights of Rhodes protector of their order: all things multiplying to honour in a prince, that had gotten such high estimation for his wisdom and sufficiency.

There were these two last years some proceedings against heretics, which was rare in this King's reign, and rather by penances, than by fire. The King had, though he were no good schoolman, the honour to convert one of them by dispute at Canterbury.

This year also, though the King were no more haunted with sprites, for that by the sprinkling, partly of blood, and partly of water, he had chased them away; yet nevertheless he had certain apparitions that troubled him, still shewing themselves from one region, which was the house of York. It came so to pass, that the earl of Suffolk, son to Elizabeth eldest sister to King Edward the Fourth, by John duke of Suffolk, her second husband, and brother to John earl of Lincoln, that was slain at Stokefield, being of an hasty and choleric disposition, had killed a man in his fury; whereupon the King gave him his pardon. But, either willing to leave a cloud upon him, or the better to make him feel his grace, produced him openly to plead his pardon. This wrought in the earl, as in a haughty stomach it useth to do; for the ignominy printed deeper than the grace. Wherefore he being discontent, fled secretly into Flanders unto his aunt the duchess of Burgundy. The king startled at it; but, being taught by troubles to use fair and timely remedies, wrought so with him by messages, the lady Margaret also growing, by often failing in her alchemy, weary of her experiments; and partly being a little sweetened, for that the King had not touched her name in the confession of Perkin, that he came over again upon good terms, and was reconciled to the King.

In the beginning of the next year, being the seventeenth of the King, the lady Catharine, fourth daughter of Ferdinando and Isabella, King and Queen of Spain, arrived in England at Plymouth the second of October, and was married to Prince Arthur in Paul's the four-

teenth of November following; the Prince being then about fifteen years of age, and the lady about eighteen. The manner of her receiving, the manner of her entry into London, and the celebrity of the marriage, were performed with great and true magnificence, in regard of cost, shew, and order. The chief man that took the care was bishop Fox, who was not only a grave counsellor for war or peace, but also a good surveyor of works, and a good master of ceremonies, and any thing else that was fit for the active part, belonging to the service of the court or state of a great King. This marriage was almost seven years in treaty, which was in part caused by the tender years of the marriage couple, especially of the Prince: but the true reason was, that these two Princes, being Princes of great policy and profound judgment, stood a great time looking one upon another's fortunes, how they would go; knowing well, that in the mean time the very treaty itself gave abroad in the world a reputation of a strait conjunction and amity between them, which served on both sides to many purposes, that their several affairs required, and yet they continued still free. But in the end, when the fortunes of both the Princes did grow every day more and more prosperous and assured, and that looking all about them, they saw no better conditions, they shut it up.

The marriage money the Princess brought, which was turned over to the King by act of renunciation, was two hundred thousand ducats; whereof one hundred thousand were payable ten days after the solemnization, and the other hundred thousand at two payments annual; but but part of it to be in jewels and plate, and a due course set down to have them justly and indifferently prized. The jointure or advancement of the lady, was the third part of the principality of Wales, and of the dukedom of Cornwall, and of the earldom of Chester, to be after set forth in severalty; and in case she came to be Queen of England, her advancement was left indefinite, but thus; that it should be as great as ever any former Queen of England had.

In all the devices and conceits of the triumphs of this marriage, there was a great deal of astronomy: the lady being resembled to Hesperus, and the Prince to Arctu-

rus, and the old King Alphonsus, that was the great astronomer of Kings, and was ancestor to the lady, was brought in, to be the fortune-teller of the match. And whosoever had those toys in compiling, they were not altogether pedantical: but you may be sure, that King Arthur the Britain, and the descent of the lady Catharine from the house of Lancaster, was in no wise forgotten. But as it should seem, it is not good to fetch fortunes from the stars: for this young Prince, that drew upon him at that time, not only the hopes and affections of his country, but the eyes and expectation of foreigners, after a few months, in the beginning of April, deceased at Ludlow castle, where he was sent to keep his resiance and court, as Prince of Wales. Of this Prince, in respect he died so young, and by reason of his father's manner of education, that did cast no great lustre upon his children, there is little particular memory: only thus much remaineth, that he was very studious and learned, beyond his years, and beyond the custom of great Princes.

There was a doubt ripped up in the times following, when the divorce of King Henry the eighth from the lady Catharine did so much busy the world, whether Arthur was bedded with his lady or no, whereby that matter in fact, of carnal knowledge, might be made part of the case. And it is true, that the lady herself denied it, or at least her counsel stood upon it, and would not blanch that advantage, although the plenitude of the Pope's power of dispensing was the main question. And this doubt was kept long open, in respect of the two Queens that succeeded, Mary and Elizabeth, whose legitimations were incompatible one with another, though their succession was settled by act of parliament. And the times that favoured Queen Mary's legitimation would have it believed, that there was no carnal knowledge between Arthur and Catharine. Not that they would seem to derogate from the Pope's absolute power, to dispense even in that case; but only in point of honour, and to make the case more favourable and smooth. And the times that favoured Queen Elizabeth's legitimation, which were the longer and the latter, maintained the contrary. So much there remaineth in me-

mory, that it was half a year's time between the creation of Henry Prince of Wales and Prince Arthur's death, which was construed to be, for to expect a full time, whereby it might appear, whether the lady Catharine were with child by Prince Arthur, or no. Again, the lady herself procured a bull, for the better corroboration of the marriage, with a clause of *vel forsan cognitam*, which was not in the first bull. There was given in evidence also, when the cause of the divorce was handled, a pleasant passage, which was; that in a morning Prince Arthur, upon his up-rising from bed with her, called for drink, which he was not accustomed to do, and finding the gentleman of his chamber that brought him the drink to smile at it, and to note it, he said merrily to him; that he had been in the midst of Spain, which was an hot region, and his journey had made him dry; and that if the other had been in so hot a clime, he would have been drier than he. Besides, the Prince was upon the point of sixteen years of age when he died, and forward, and able in body.

The February following, Henry duke of York was created Prince of Wales, and Earl of Chester and Flint: for the dukedom of Cornwall devolved to him by statute. The King also being fast-handed, and loth to part with a second dowry, but chiefly being affectionate both by his nature, and out of politic considerations to continue the alliance with Spain, prevailed with the Prince, though not without some reluctation, such as could be in those years, for he was not twelve years of age, to be contracted with the Princess Catharine: The secret providence of God ordaining that marriage to be the occasion of great events and changes.

The same year were the espousals of James King of Scotland with the lady Margaret the King's eldest daughter; which was done by proxy, and published at Paul's cross, the five and twentieth of January, and Te Deum solemnly sung. But certain it is, that the joy of the city thereupon shewed, by ringing of bells and bonfires, and such other incense of the people, was more than could be expected, in a case of so great and fresh enmity between the nations, especially in London, which

was far enough off from feeling any of the former calamities of the war: and therefore might be truly attributed to a secret instinct and inspiring, which many times runneth not only in the hearts of Princes, but in the pulse and veins of people, touching the happiness thereby to ensue in time to come. This marriage was in August following consummated at Edinburgh: the King bringing his daughter as far as Colliweston on the way, and then consigning her to the attendance of the Earl of Northumberland; who with a great troop of lords and ladies of honour brought her into Scotland, to the King her husband.

This marriage had been in treaty by the space of almost three years, from the time that the King of Scotland did first open his mind to bishop Fox. The sum given in marriage by the King, was ten thousand pounds: and the jointure and advancement assured by the King of Scotland, was two thousand pounds a year, after King James his death, and one thousand pounds a year in present, for the lady's allowance or maintenance. This to be set forth in lands, of the best and most certain revenue. During the treaty, it is reported, that the King remitted the matter to his council; and that some of the table, in the freedom of counsellors, the King being present, did put the case; that if God should take the King's two sons without issue, that then the kingdom of England would fall to the King of Scotland, which might prejudice the monarchy of England. Whereunto the King himself replied; that if that should be, Scotland would be but an accession to England, and not England to Scotland, for that the greater would draw the less: and that it was a safer union for England than that of France. This passed as an oracle, and silenced those that moved the question.

The same year was fatal, as well for deaths as marriages, and that with equal temper. For the joys and feasts of the two marriages were compensed with the mournings and funerals of Prince Arthur, of whom we have spoken, and of Queen Elizabeth, who died in childbed in the Tower, and the child lived not long after. There died also that year Sir Reginald Bray, who was

noted to have had with the King the greatest freedom of any counsellor; but it was but a freedom the better to set off flattery. Yet he bare more than his just part of envy for the exactions.

At this time the King's estate was very prosperous: secured by the amity of Scotland, strengthened by that of Spain, cherished by that of Burgundy, all domestic troubles quenched, and all noise of war, like a thunder afar off, going upon Italy. Wherefore nature, which many times is happily contained and refrained by some bands of fortune, began to take place in the King; carrying, as with a strong tide, his affections and thoughts unto the gathering and heaping up of treasure. And as Kings do more easily find instruments for their will and humour, than for their service and honour; he had gotten for his purpose, or beyond his purpose, two instruments, Empson and Dudley, whom the people esteemed as his horse-leeches and shearers, bold men and careless of fame, and that took toll of their master's grist. Dudley was of a good family, eloquent, and one that could put hateful business into good language. But Empson, that was the son of a sieve-maker, triumphed always upon the deed done, putting off all other respects whatsoever. Those two persons being lawyers in science, and privy counsellors in authority, as the corruption of the best things is the worst, turned law and justice into wormwood and rapine. For first, their manner was to cause divers subjects to be indicted of sundry crimes, and so far forth to proceed in form of law; but when the bills were found, then presently to commit them; and nevertheless not to produce them in any reasonable time to their answer, but to suffer them to languish long in prison, and by sundry artificial devices and terrors to extort from them great fines and ransoms, which they termed compositions and mitigations.

Neither did they, towards the end, observe so much as the half-face of justice, in proceeding by indictment; but sent forth their precepts to attach men and convent them before themselves, and some others, at their private houses, in a court of commission; and there used to shuffle up a summary proceeding by examination, with-

out trial of jury; assuming to themselves there to deal both in pleas of the crown, and controversies civil.

Then did they also use to inthral and charge the subjects' lands with tenures *in capite*, by finding false offices, and thereby to work upon them for wardships, liveries, premier seizins, and alienations, being the fruits of those tenures, refusing, upon divers pretexts and delays, to admit men to traverse those false offices according to the law. Nay, the King's wards, after they had accomplished their full age, could not be suffered to have livery of their lands, without paying excessive fines, far exceeding all reasonable rates. They did also vex men with informations of intrusion, upon scarce colourable titles.

When men were outlawed in personal actions, they would not permit them to purchase their charters of pardon, except they paid great and intolerable sums; standing upon the strict point of law, which upon outlawries giveth forfeiture of goods; nay, contrary to all law and colour, they maintained the King ought to have the half of men's lands and rents, during the space of full two years, for a pain in case of outlawry. They would also ruffle with jurors, and inforce them to find as they would direct, and if they did not, convent them, imprison them, and fine them.

These and many other courses, fitter to be buried than repeated, they had of preying upon the people; both like tame hawks for their master, and like wild hawks for themselves; insomuch as they grew to great riches and substance: but their principal working was upon penal laws, wherein they spared none, great nor small; nor considered whether the law were possible or impossible, in use or obsolete: but raked over all old and new statutes, though many of them were made with intention rather of terror than of rigour, having ever a rabble of promoters, questmongers, and leading jurors at their command, so as they could have any thing found either for fact or valuation.

There remaineth to this day a report, that the King was on a time entertained by the Earl of Oxford, that was his principal servant both for war and peace, nobly

and sumptuously, at his castle at Henningham: And at the King's going away, the Earl's servants stood, in a seemly manner, in their livery coats, with cognisances, ranged on both sides, and made the King a lane. The King called the Earl to him, and said, "My lord, I have heard much of your hospitality, but I see it is greater than the speech: These handsome gentlemen and yeomen, which I see on both sides of me, are sure your menial servants." The Earl smiled, and said, "It may please your grace, that were not for mine own ease: they are most of them my retainers, that are come to do me service at such a time as this, and chiefly to see your grace." The King started a little, and said, "By my faith, my lord, I thank you for my good chear, but I may not endure to have my laws broken in my sight; my attorney must speak with you." And it is part of the report, that the Earl compounded for no less than fifteen thousand marks. And to shew farther the King's extreme diligence, I do remember to have seen long since a book of accompt of Empson's, that had the King's hand almost to every leaf by way of signing, and was in some places postilled in the margin with the King's hand likewise, where was this remembrance.

"Item, Received of such a one five marks, for a pardon to be procured; and if the pardon do not pass, the money to be repaid: except the party be some other ways satisfied."

And over against this *Memorandum*, of the King's own hand,

"Otherwise satisfied."

Which I do the rather mention, because it shews in the King a nearness, but yet with a kind of justness. So these little sands and grains of gold and silver, as it seemeth, helped not a little to make up the great heap and bank.

But mean while to keep the King awake, the earl of Suffolk, having been too gay at Prince Arthur's marriage, and sunk himself deep in debt, had yet once more

a mind to be a knight-errant, and to seek adventures in foreign parts; and taking his brother with him, fled again into Flanders. That, no doubt, which gave him confidence, was the great murmur of the people against the King's government: and being a man of a light and rash spirit, he thought every vapour would be a tempest. Neither wanted he some party within the kingdom: for the murmur of people awakes the discontents of nobles; and again, that calleth up commonly some head of sedition. The King resorting to his wonted and tried arts, caused Sir Robert Curson, captain of the castle at Hammes, being at that time beyond sea, and therefore less likely to be wrought upon by the King, to fly from his charge, and to feign himself a servant of the earl's. This knight, having insinuated himself into the secrets of the earl, and finding by him upon whom chiefly he had either hope or hold, advertised the King thereof in great secrecy; but nevertheless maintained his own credit and inward trust with the earl. Upon whose advertisements, the King attached William Courtney, earl of Devonshire, his brother-in-law, married to the lady Catharine, daughter to King Edward the fourth; William de la Pole, brother to the earl of Suffolk; Sir James Tirrel, and Sir John Windham, and some other meaner persons, and committed them to custody. George lord Abergavenny, and Sir Thomas Green, were at the same time apprehended; but as upon less suspicion, so in a freer restraint, and were soon after delivered. The earl of Devonshire, being interested in the blood of York, that was rather feared than nocent; yet as one that might be the object of others plots and designs, remained prisoner in the Tower, during the King's life. William de la Pole was also long restrained, though not so straitly. But for Sir James Tirrel, against whom the blood of the innocent Princes, Edward the fifth, and his brother, did still "cry from under the altar," and Sir John Windham, and the other meaner ones, they were attainted and executed: the two knights beheaded. Nevertheless, to confirm the credit of Curson, who belike had not yet done all his feats of activity, there was published at Paul's cross, about the time of the said execu-

tions, the Pope's bull of excommunication and curse against the earl of Suffolk and Sir Robert Curson, and some others by name; and likewise in general against all the abettors of the said earl: wherein it must be confessed, that heaven was made too much to bow to earth, and religion to policy. But soon after, Curson when he saw the time, returned into England, and withal into wonted favour with the King, but worse fame with the people. Upon whose return the earl was much dismayed, and seeing himself destitute of hopes, the lady Margaret also, by tract of time and bad success, being now become cool in those attempts, after some wandering in France and Germany, and certain little projects, no better than squibs of an exiled man, being tired out, retired again into the protection of the archduke Philip in Flanders, who by the death of Isabella was at that time King of Castile, in the right of Joan his wife.

This year, being the nineteenth of his reign, the King called his parliament; wherein a man may easily guess how absolute the King took himself to be with his parliament, when Dudley, that was so hateful, was made speaker of the house of commons. In this parliament there were not made any statutes memorable touching public government. But those that were, had still the stamp of the King's wisdom and policy.

There was a statute made for the disannulling of all patents of lease or grant, to such as came not upon lawful summons to serve the King in his wars, against the enemies or rebels, or that should depart without the King's licence; with an exception of certain persons of the long robe: providing nevertheless that they should have the King's wages from their house, till their return home again. There had been the like made before for offices, and by this statute it was extended to lands. But a man may easily see by many statutes made in this King's time, that the King thought it safest to assist martial law by law of parliament.

Another statute was made, prohibiting the bringing in of manufactures of silk wrought by itself, or mixt with any other thread. But it was not of stuffs of whole piece,

for that the realm had of them no manufacture in use at that time, but of knit silk, or texture of silk; as ribbons, laces, cauls, points, and girdles, &c. which the people of England could then well skill to make. This law pointed at a true principle; "That where foreign materials are but superfluities, foreign manufactures should be prohibited." For that will either banish the superfluity, or gain the manufacture.

There was a law also of resumption of patents of gaols, and the reannexing of them to the sheriffwicks; privileged officers being no less an interruption of justice, than privileged places.

There was likewise a law to restrain the by-laws, or ordinances of corporations, which many times were against the prerogative of the King, the common law of the realm, and the liberty of the subject, being fraternities in evil. It was therefore provided, that they should not be put in execution, without the allowance of the chancellor, treasurer, and the two chief justices, or three of them, or of the two justices of circuit where the corporation was.

Another law was, in effect, to bring in the silver of the realm to the mint, in making all clipped, minished, or impaired coins of silver, not to be current in payments; without giving any remedy of weight, but with an exception only of reasonable wearing, which was as nothing in respect of the uncertainty; and so, upon the matter, to set the mint on work, and to give way to new coins of silver, which should be then minted.

There likewise was a long statute against vagabonds, wherein two things may be noted: the one, the dislike the parliament had of gaoling of them, as that which was chargeable, pesterous, and of no open example. The other, that in the statutes of this King's time, for this of the nineteenth year is not the only statute of that kind, there are ever coupled the punishment of vagabonds, and the forbidding of dice and cards, and unlawful games, unto servants and mean people, and the putting down and suppressing of alehouses, as strings of one root together, and as if the one were unprofitable without the other.

As for riot and retainers, there passed scarce any par-

liament in this time without a law against them: the King ever having an eye to might and multitude.

There was granted also that parliament a subsidy, both from the temporalty and the clergy. And yet nevertheless, ere the year expired, there went out commissions for a general benevolence, though there were no wars, no fears. The same year the city gave five thousand marks, for confirmation of their liberties; a thing fitter for the beginnings of Kings reigns, than the latter ends. Neither was it a small matter that the mint gained upon the late statute, by the recoinage of groats and half-groats, now twelve-pences and six-pences. As for Empson and Dudley's mills, they did grind more than ever: so that it was a strange thing to see what golden showers poured down upon the King's treasury at once: the last payments of the marriage-money from Spain; the subsidy; the benevolence; the recoinage; the redemption of the city's liberties; the casualties. And this is the more to be marvelled at, because the King had then no occasions at all of wars or troubles. He had now but one son, and one daughter unbestowed. He was wise; he was of an high mind; he needed not to make riches his glory; he did excel in so many things else; save that certainly avarice doth ever find in itself matter of ambition. Belike he thought to leave his son such a kingdom, and such a mass of treasure, as he might choose his greatness where he would.

This year was also kept the serjeants feast, which was the second call in this King's days.

About this time Isabella Queen of Castile deceased; a right noble lady, and an honour to her sex and times, and the corner-stone of the greatness of Spain that hath followed. This accident the King took not for news at large, but thought it had a great relation to his own affairs; especially in two points: the one for example, the other for consequence. First, he conceived that the case of Ferdinando of Aragon, after the death of Queen Isabella, was his own case after the death of his own queen; and the case of Joan the heir unto Castile, was the case of his own son Prince Henry. For if both of the Kings

had their kingdoms in the right of their wives, they descended to the heirs, and did not accrue to the husbands. And although his own case had both steel and parchment more than the other, that is to say, a conquest in the field, and an act of parliament, yet notwithstanding, that natural title of descent in blood did, in the imagination even of a wise man, breed a doubt, that the other two were not safe nor sufficient. Wherefore he was wonderful diligent to inquire and observe what became of the King of Aragon, in holding and continuing the kingdom of Castile; and whether he did hold it in his own right; or as administrator to his daughter; and whether he were like to hold it in fact, or to be put out by his son-in-law. Secondly, he did revolve in his mind, that the state of Christendom might by this late accident have a turn. For whereas before time, himself, with the conjunction of Aragon and Castile, which then was one, and the amity of Maximilian and Philip his son the archduke, was far too strong a party for France; he began to fear, that now the French King, who had great interest in the affections of Philip the young King of Castile, and Philip himself, now King of Castile, who was in ill terms with his father-in-law about the present government of Castile, and thirdly, Maximilian, Philip's father, who was ever variable, and upon whom the surest aim that could be taken was, that he would not be long as he had been last before, would all three, being potent Princes, enter into some strait league and confederation amongst themselves: whereby though he should not be endangered, yet he should be left to the poor amity of Aragon. And whereas he had been heretofore a kind of arbiter of Europe, he should now go less, and be over-topped by so great a conjunction. He had also, as it seems, an inclination to marry, and bethought himself of some fit conditions abroad; and amongst others he had heard of the beauty and virtuous behaviour of the young Queen of Naples, the widow of Ferdinando the younger, being then of matronal years of seven and twenty; by whose marriage he thought that the kingdom of Naples, having been a goal for a time between

the King of Aragon and the French King, and being but newly settled, might in some part be deposited in his hands, who was so able to keep the stakes. Therefore he sent in embassage or message three confident persons, Francis Marsin, James Braybrooke, and John Stile, upon two several inquisitions rather than negotiations. The one touching the person and condition of the young Queen of Naples. The other touching all particulars of estate, that concerned the fortunes and intentions of Ferdinando. And because they may observe best, who themselves are observed least, he sent them under colourable pretexts; giving them letters of kindness and compliment from Catharine the Princess, to her aunt and niece, the old and young Queen of Naples, and delivering to them also a book of new articles of peace; which notwithstanding it had been delivered unto doctor de Puebla, the lieger ambassador of Spain here in England, to be sent; yet for that the King had been long without hearing from Spain, he thought good those messengers, when they had been with the two Queens, should likewise pass on to the court of Ferdinando, and take a copy of the book with them. The instructions touching the Queen of Naples were so curious and exquisite, being as articles whereby to direct a survey, or framing a particular of her person, for complexion, favour, feature, stature, health, age, customs, behaviour, conditions, and estate, as, if the King had been young, a man would have judged him to be amorous; but, being ancient, it ought to be interpreted, that sure he was very chaste, for that he meant to find all things in one woman, and so to settle his affections without ranging. But in this match he was soon cooled, when he heard from his ambassadors, that this young Queen had had a goodly jointure in the realm of Naples, well answered during the time of her uncle Frederick, yea and during the time of Lewis the French King, in whose division her revenue fell; but since the time that the kingdom was in Ferdinando's hands, all was assigned to the army and garrisons there, and she received only a pension or exhibition out of his coffers.

The other part of the inquiry had a grave and dili-

gent return, informing the King at full of the present state of King Ferdinando. By this report it appeared to the King, that Ferdinando did continue the government of Castile, as administrator unto his daughter Joan, by the title of Queen Isabella's will, and partly by the custom of the kingdom, as he pretended. And that all mandates and grants were expedited in the name of Joan his daughter, and himself as administrator, without mention of Philip her husband. And that King Ferdinando, howsoever he did dismiss himself of the name of King of Castile, yet meant to hold the kingdom without account, and in absolute command.

It appeareth also, that he flattered himself with hopes, that King Philip would permit unto him the government of Castile during his life; which he had laid his plot to work him unto, both by some counsellors of his about him, which Ferdinando had at his devotion, and chiefly by promise, that in case Philip gave not way unto it, he would marry some young lady, whereby to put him by the succession of Aragon and Granada, in case he should have a son; and lastly, by representing unto him that the government of the Burgundians, till Philip were by continuance in Spain made as natural of Spain, would not be endured by the Spaniards. But in all those things, though wisely laid down and considered, Ferdinando failed; but that Pluto was better to him than Pallas.

In the same report also, the ambassadors being mean men, and therefore the more free, did strike upon a string which was somewhat dangerous; for they declared plainly, that the people of Spain, both nobles and commons, were better affected unto the part of Philip, so he brought his wife with him, than to Ferdinando; and expressed the reason to be, because he had imposed upon them many taxes and tallages; which was the King's own case between him and his son.

There was also in this report a declaration of an overture of marriage, which Amason the secretary of Ferdinando had made unto the ambassadors in great secret, between Charles Prince of Castile and Mary the King's second daughter; assuring the King, that the treaty of

marriage then on foot for the said Prince and the daughter of France, would break: and that she the said daughter of France should be married to Angolesme, that was the heir apparent of France.

There was a touch also of a speech of marriage between Ferdinando and madame de Fois, a lady of the blood of France, which afterwards indeed succeeded. But this was reported as learned in France, and silenced in Spain.

The King by the return of this embassage, which gave great light unto his affairs, was well instructed, and prepared how to carry himself between Ferdinando King of Aragon and Philip his son-in-law King of Castile; resolving with himself to do all that in him lay, to keep them at one within themselves; but howsoever that succeeded, by a moderate carriage, and bearing the person of a common friend, to lose neither of their friendships; but yet to run a course more intire with the King of Aragon, but more laboured and officious with the King of Castile. But he was much taken with the overture of marriage with his daughter Mary; both because it was the greatest marriage of Christendom, and for that it took hold of both allies.

But to corroborate his alliance with Philip, the winds gave him an interview: for Philip choosing the winter season, the better to surprise the King of Aragon, set forth with a great navy out of Flanders for Spain, in the month of January, the one and twentieth year of the King's reign. But himself was surprised with a cruel tempest, that scattered his ships upon the several coasts of England. And the ship wherein the King and Queen were, with two other small barks only, torn and in great peril, to escape the fury of the weather, thrust into Weymouth. King Philip himself, having not been used, as it seems, to sea, all wearied and extreme sick, would needs land to refresh his spirits, though it was against the opinion of his council, doubting it might breed delay, his occasions requiring celerity.

The rumour of the arrival of a puissant navy upon the coast, made the country arm. And Sir Thomas Trenchard, with forces suddenly raised, not knowing what the

matter might be, came to Weymouth. Where understanding the accident, he did in all humbleness and humanity invite the King and queen to his house; and forthwith dispatched posts to the court. Soon after came Sir John Carew likewise, with a great troop of men well armed; using the like humbleness and respects towards the King, when he knew the case. King Philip doubting that they, being but subjects, durst not let him pass away again without the King's notice and leave, yielded to their intreaties to stay till they heard from the court. The King, as soon as he heard the news, commanded presently the earl of Arundel to go to visit the King of Castile, and let him understand that as he was very sorry for his mishap, so he was glad that he had escaped the danger of the seas, and likewise of the occasion himself had to do him honour; and desiring him to think himself as in his own land; and that the King made all haste possible to come and embrace him. The earl came to him in great magnificence, with a brave troop of three hundred horse; and, for more state, came by torch-light. After he had done the King's message, King Philip seeing how the world went, the sooner to get away, went upon speed to the King at Windsor, and his Queen followed by easy journeys. The two Kings at their meeting used all the caresses and loving demonstrations that were possible. And the King of Castile said pleasantly to the King, "that he was now punished for that he would not come within his walled town of Calais, when they met last." But the King answered, "that walls and seas were nothing where hearts were open; and that he was here no otherwise but to be served." After a day or two's refreshing, the Kings entered into speech of renewing the treaty; the King saying, that though King Philip's person were the same, yet his fortunes and state were raised: in which case a renovation of treaty was used amongst Princes. But while these things were in handling, the King choosing a fit time, and drawing the King of Castile into a room, where they two only were private, and laying his hand civilly upon his arm, and changing his countenance a little from a countenance of entertainment, said to him, "Sir, you have been saved upon my coast, I hope you

will not suffer me to wreck upon yours." The King of Castile asked him, what he meant by that speech?" "I mean it," saith the King, "by that same harebrain wild fellow, my subject, the earl of Suffolk, who is protected in your country, and begins to play the fool, when all others are weary of it." The King of Castile answered, "I had thought, Sir, your felicity had been above those thoughts: but if it trouble you, I will banish him." The King replied, "those hornets were best in their nest, and worst when they did fly abroad; and that his desire was to have him delivered to him." The King of Castile herewith a little confused, and in a study, said, "That can I not do with my honour, and less with yours; for you will be thought to have used me as a prisoner." The King presently said, "Then the matter is at an end, for I will take that dishonour upon me, and so your honour is saved." The King of Castile, who had the King in great estimation, and besides remembered where he was, and knew not what use he might have of the King's amity, for that himself was new in his estate of Spain, and unsettled both with his father-in-law and with his people, composing his countenance, said, "Sir, you give law to me, but so will I to you. You shall have him, but, upon your honour, you shall not take his life." The King embracing him said, "Agreed." Saith the King of Castile, "Neither shall it dislike you, if I send to him in such a fashion, as he may partly come with his own good will." The King said, "It was well thought of; and if it pleased him, he would join with him, in sending to the earl a message to that purpose." They both sent severally, and mean while they continued feasting and pastimes. The King being, on his part, willing to have the earl sure before the King of Castile went; and the King of Castile being as willing to seem to be enforced. The King also, with many wise and excellent persuasions, did advise the King of Castile to be ruled by the counsel of his father-in-law Ferdinando; a Prince so prudent, so experienced, so fortunate. The King of Castile, who was in no very good terms with his said father-in-law, answered, "That if his father-in-law would suffer him to govern his kingdoms, he should govern him."

There were immediately messengers sent from both Kings, to recall the earl of Suffolk; who upon gentle words used to him was soon charmed, and willing enough to return; assured of his life, and hoping of his liberty. He was brought through Flanders to Calais, and thence landed at Dover, and with sufficient guard delivered and received at the tower of London. Mean while King Henry, to draw out the time, continued his feastings and entertainments, and after he had received the King of Castile into the fraternity of the Garter, and for a reciprocal had his son the Prince admitted to the order of the Golden Fleece, he accompanied King Philip and his Queen to the city of London; where they were entertained with the greatest magnificence and triumph, that could be upon no greater warning. And as soon as the earl of Suffolk had been conveyed to the Tower, which was the serious part, the jollities had an end, and the Kings took leave. Nevertheless during their being here, they in substance concluded that treaty, which the Flemings term "intercursus malus," and bears date at Windsor: for there be some things in it, more to the advantage of the English, than of them; especially, for that the free-fishing of the Dutch upon the coasts and seas of England, granted in the treaty of "undecimo," was not by this treaty confirmed. All articles that confirm former treaties being precisely and warily limited and confirmed to matter of commerce only, and not otherwise.

It was observed, that the great tempest which drove Philip into England, blew down the golden eagle from the spire of Paul's, and in the fall it fell upon a sign of the black eagle, which was in Paul's church-yard, in the place where the school-house now standeth, and battered it, and brake it down: which was a strange stooping of a hawk upon a fowl. This the people interpreted to be an ominous prognostic upon the imperial house, which was, by interpretation also, fulfilled upon Philip the emperor's son, not only in the present disaster of the tempest, but in that that followed. For Philip arriving into Spain, and attaining the possession of the kingdom of Castile without resistance, insomuch as Ferdinando, who had spoke so great before, was with difficulty admitted to the

speech of his son-in-law, sickened soon after, and deceased. Yet after such time, as there was an observation by the wisest of that court, that if he had lived, his father would have gained upon him in that sort, as he would have governed his councils and designs, if not his affections. By this all Spain returned into the power of Ferdinando in state as it was before; the rather, in regard of the infirmity of Joan his daughter, who loving her husband, by whom she had many children, dearly well, and no less beloved of him, howsoever her father, to make Philip ill-beloved of the people of Spain, gave out that Philip used her not well, was unable in strength of mind to bear the grief of his decease, and fell distracted of her wits. Of which malady her father was thought no ways to endeavour the cure, the better to hold his legal power in Castile. So that as the felicity of Charles the eighth was said to be a dream; so the adversity of Ferdinando was said likewise to be a dream, it passed over so soon.

About this time the King was desirous to bring into the house of Lancaster celestial honour, and became suitor to Pope Julius, to canonise King Henry the sixth for a saint; the rather, in respect of that his famous prediction of the King's own assumption to the crown. Julius referred the matter, as the manner is, to certain cardinals, to take the verification of his holy acts and miracles: but it died under the reference. The general opinion was, that Pope Julius was too dear, and that the King would not come to his rates. But it is more probable, that that Pope, who was extremely jealous of the dignity of the see of Rome, and of the acts thereof, knowing that King Henry the sixth was reputed in the world abroad but for a simple man, was afraid it would but diminish the estimation of that kind of honour, if there were not a distance kept between innocents and saints.

The same year likewise there proceeded a treaty of marriage between the King and the lady Margaret duchess dowager of Savoy, only daughter to Maximilian, and sister to the King of Castile; a lady wise, and of great good fame. This matter had been in speech between the two Kings at their meeting, but was soon after

resumed; and therein was employed for his first piece the King's then chaplain, and after the great prelate, Thomas Wolsey. It was in the end concluded, with great and ample conditions for the King, but with promise *de futuro* only. It may be the King was the rather induced unto it, for that he had heard more and more of the marriage to go on between his great friend and ally Ferdinando of Aragon, and madame de Fois, whereby that King began to piece with the French King, from whom he had been always before severed. So fatal a thing it is, for the greatest and straitest amities of Kings at one time or other, to have a little of the wheel: nay, there is a farther tradition in Spain, though not with us, that the King of Aragon, after he knew that the marriage between Charles the young Prince of Castile and Mary the King's second daughter went roundly on, which though it was first moved by the King of Aragon, yet it was afterwards wholly advanced and brought to perfection by Maximilian, and the friends on that side, entered into a jealousy, that the King did aspire to the government of Castilia, as administrator during the minority of his son-in-law; as if there should have been a competition of three for that government; Ferdinando, grandfather on the mother's side; Maximilian, grandfather on the father's side; and King Henry, father-in-law to the young Prince. Certainly it is not unlike, but the King's government, carrying the young Prince with him, would have been perhaps more welcome to the Spaniards than that of the other two. For the nobility of Castilia, that so lately put out the King of Aragon in favour of King Philip, and had discovered themselves so far, could not be but in a secret distrust and distaste of that King. And as for Maximilian, upon twenty respects he could not have been the man. But this purpose of the King's seemeth to me, considering the King's safe courses, never found to be enterprising or adventurous, not greatly probable, except he should have had a desire to breathe warmer, because he had ill lungs. This marriage with Margaret was protracted from time to time, in respect of the infirmity of the King, who now in the two and twentieth of his reign began to be troubled with the gout:

but the defluxion taking also into his breast, wasted his lungs, so that thrice in a year, in a kind of return, and especially in the spring, he had great fits and labours of the phthisic: nevertheless, he continued to intend business with as great diligence, as before in his health: yet so, as upon this warning he did likewise now more seriously think of the world to come, and of making himself a saint, as well as King Henry the sixth, by treasure better employed, than to be given to Pope Julius: for this year he gave greater arms than accustomed, and discharged all prisoners about the city, that lay for fees or debts under forty shillings. He did also make haste with religious foundations; and in the year following, which was the three and twentieth, finished that of the Savoy. And hearing also of the bitter cries of his people against the oppressions of Dudley and Empson, and their complices; partly by devout persons about him, and partly by public sermons, the preachers doing their duty therein, he was touched with great remorse for the same. Nevertheless Empson and Dudley, though they could not but hear of these scruples in the King's conscience; yet, as if the King's soul and his money were in several offices, that the one was not to intermeddle with the other, went on with as great rage as ever. For the same three and twentieth year was there a sharp prosecution against Sir William Capel now the second time; and this was for matters of misgovernment in his mayoralty: the great matter being, that in some payments he had taken knowledge of false moneys, and did not his diligence to examine and beat it out, who were the offenders. For this and some other things laid to his charge, he was condemned to pay two thousand pounds; and being a man of stomach, and hardened by his former troubles, refused to pay a mite; and belike used some untoward speeches of the proceedings, for which he was sent to the Tower, and there remained till the King's death. Knesworth likewise, that had been lately mayor of London, and both his sheriffs, were for abuses in their offices questioned, and imprisoned, and delivered upon one thousand four hundred pounds paid. Hawis, an alderman of London, was put in trouble, and died with

thought and anguish, before his business came to an end. Sir Lawrence Ailmer, who had likewise been mayor of London, and his two sheriffs, were put to the fine of one thousand pounds. And Sir Lawrence, for refusing to make payment, was committed to prison, where he stayed till Empson himself was committed in his place.

It is no marvel, if the faults were so light, and the rates so heavy, that the King's treasure of store, that he left at his death, most of it in secret places, under his own key and keeping, at Richmond, amounted, as by tradition it is reported to have done, unto the sum of near eighteen hundred thousand pounds sterling; a huge mass of money even for these times.

The last act of state that concluded this King's temporal felicity, was the conclusion of a glorious match between his daughter Mary, and Charles Prince of Castile, afterwards the great emperor, both being of tender years: which treaty was perfected by Bishop Fox, and other his commissioners at Calais, the year before the King's death. In which alliance, it seemeth, he himself took so high contentment, as in a letter which he wrote thereupon to the city of London, commanding all possible demonstrations of joy to be made for the same, he expresseth himself, as if he thought he had built a wall of brass about his kingdom: when he had for his sons-in-law, a King of Scotland, and a prince of Castile and Burgundy. So as now there was nothing to be added to this great King's felicity, being at the top of all worldly bliss, in regard of the high marriages of his children, his great renown throughout Europe, and his scarce credible riches, and the perpetual constancy of his prosperous successes, but an opportune death, to withdraw him from any future blow of fortune: which certainly (in regard of the great hatred of his people, and the title of his son, being then come to eighteen years of age, and being a bold Prince and liberal, and that gained upon the people by his very aspect and presence) had not been impossible to have come upon him.

To crown also the last year of his reign, as well as his first, he did an act of piety, rare, and worthy to be taken

into imitation. For he granted forth a general pardon: as expecting a second coronation in a better kingdom. He did also declare in his will, that his mind was, that restitution should be made of those sums which had been unjustly taken by his officers.

And thus this Solomon of England, for Solomon also was too heavy upon his people in exactions, having lived two and fifty years, and thereof reigned three and twenty years, and eight months, being in perfect memory, and in a most blessed mind, in a great calm of a consuming sickness passed to a better world, the two and twentieth of April 1508, at his palace of Richmond, which himself had built.

This King, to speak of him in terms equal to his deserving, was one of the best sort of wonders; a wonder for wise men. He had parts, both in his virtues and his fortune, not so fit for a common-place, as for observation. Certainly he was religious, both in his affection and observance. But as he could see clear, for those times, through superstition, so he would be blinded, now and then, by human policy. He advanced churchmen: he was tender in the privilege of sanctuaries, though they wrought him much mischief. He built and endowed many religious foundations, besides his memorable hospital of the Savoy: and yet was he a great alms-giver in secret; which shewed, that his works in public were dedicated rather to God's glory than his own. He professed always to love and seek peace; and it was his usual preface in his treaties, that when Christ came into the world, peace was sung; and when he went out of the world, peace was bequeathed. And this virtue could not proceed out of fear or softness; for he was valiant and active, and therefore, no doubt, it was truly Christian and moral. Yet he knew the way to peace was not to seem to be desirous to avoid wars: therefore would he make offers and fames of wars, till he had mended the conditions of peace. It was also much, that one that was so great a lover of peace, should be so happy in war. For his arms, either in foreign or civil wars, were never unfortunate; neither did he know what a disaster meant. The war of his coming

in, and the rebellions of the earl of Lincoln, and the lord Audley, were ended by victory. The wars of France and Scotland, by peaces sought at his hands. That of Britain, by accident of the duke's death. The insurrection of the lord Lovel, and that of Perkin at Exeter, and in Kent, by flight of the rebels before they came to blows. So that his fortune of arms was still inviolate: the rather sure, for that in the quenching of the commotions of his subjects, he ever went in person: sometimes reserving himself to back and second his lieutenants, but ever in action; and yet that was not merely forwardness, but partly distrust of others.

He did much maintain and countenance his laws; which, nevertheless, was no impediment to him to work his will: for it was so handled, that neither prerogative nor profit went to diminution. And yet as he would sometimes strain up his laws to his prerogative, so would he also let down his prerogative to his parliament. For mint, and wars, and martial discipline, things of absolute power, he would nevertheless bring to parliament. Justice was well administered in his time, save where the King was party: save also, that the council-table intermeddled too much with *meum* and *tuum*. For it was a very court of justice during his time, especially in the beginning; but in that part both of justice and policy, which is the durable part, and cut, as it were, in brass or marble, which is the making of good laws, he did excel. And with his justice, he was also a merciful prince: as in whose time, there were but three of the nobility that suffered; the earl of Warwick, the lord chamberlain, and the lord Audley: though the first two were instead of numbers, in the dislike and obloquy of the people. But there were never so great rebellions, expiated with so little blood, drawn by the hand of justice, as the two rebellions of Blackheath and Exeter. As for the severity used upon those which were taken in Kent, it was but upon a scum of people. His pardons went ever both before and after his sword. But then he had withal a strange kind of interchanging of large and inexpected pardons, with severe executions; which, his wisdom considered, could not be imputed to

any inconstancy or inequality; but either to some reason which we do not now know, or to a principle he had set unto himself, that he would vary, and try both ways in turn. But the less blood he drew, the more he took of treasure. And, as some construed it, he was the more sparing in the one, that he might be the more pressing in the other; for both would have been intolerable. Of nature assuredly he coveted to accumulate treasure, and was a little poor in admiring riches. The people, into whom there is infused, for the preservation of monarchies, a natural desire to discharge their princes, though it be with the unjust charge of their counsellors and ministers, did impute this unto cardinal Morton and Sir Reginald Bray, who, as it after appeared, as counsellors of ancient authority with him, did so second his humours, as nevertheless they did temper them. Whereas Empson and Dudley that followed, being persons that had no reputation with him, otherwise than by the servile following of his bent, did not give way only, as the first did, but shape him way to those extremities, for which himself was touched with remorse at his death, and which his successor renounced, and sought to purge. This excess of his had at that time many glosses and interpretations. Some thought the continual rebellions wherewith he had been vexed, had made him grow to hate his people: some thought it was done to pull down their stomachs, and to keep them low: some, for that he would leave his son a golden fleece: some suspected he had some high design upon foreign parts: but those perhaps shall come nearest the truth, that fetch not their reasons so far off: but rather impute it to nature, age, peace, and a mind fixed upon no other ambition or pursuit. Whereunto I should add, that having every day occasion to take notice of the necessities and shifts for money of other great princes abroad, it did the better, by comparison, set off to him the felicity of full coffers. As to his expending of treasure, he never spared charge which his affairs required: and in his buildings was magnificent, but his rewards were very limited: so that his liberality was rather upon his own state and memory, than upon the deserts of others.

He was of an high mind, and loved his own will, and his own way; as one that revered himself, and would reign indeed. Had he been a private man, he would have been termed proud. But in a wise Prince, it was but keeping of distance, which indeed he did towards all; not admitting any near or full approach, either to his power, or to his secrets, for he was governed by none. His Queen, notwithstanding she had presented him with divers children, and with a crown also, though he would not acknowledge it, could do nothing with him. His mother he reverenced much, heard little. For any person agreeable to him for society, such as was Hastings to King Edward the fourth, or Charles Brandon after to King Henry the eighth, he had none: except we should account for such persons, Fox, and Bray, and Empson, because they were so much with him: but it was but as the instrument is much with the workman. He had nothing in him of vain-glory, but yet kept state and majesty to the height; being sensible, that majesty maketh the people bow, but vain-glory boweth to them.

To his confederates abroad he was constant and just, but not open. But rather such was his enquiry, and such his closeness, as they stood in the light towards him, and he stood in the dark to them. Yet without strangeness, but with a semblance of mutual communication of affairs. As for little envies, or emulations upon foreign princes, which are frequent with many Kings, he had never any; but went substantially to his own business. Certain it is, that though his reputation was great at home, yet it was greater abroad. For foreigners that could not see the passages of affairs, but made their judgments upon the issues of them, noted that he was ever in strife, and ever aloft. It grew also from the airs which the princes and states abroad received from their ambassadors and agents here; which were attending the court in great number: whom he did not only content with courtesy, reward, and privateness; but, upon such conferences as passed with them, put them in admiration, to find his universal insight into the affairs of the world: which though he did suck chiefly from themselves, yet that which he had gathered from them all, seemed admirable

to every one. So that they did write ever to their superiors in high terms, concerning his wisdom and art of rule: nay, when they were returned, they did commonly maintain intelligence with him. Such a dexterity he had to impropriate to himself all foreign instruments.

He was careful and liberal to obtain good intelligence from all parts abroad: wherein he did not only use his interest in the liegers here, and his pensioners, which he had both in the court of Rome, and other the courts of Christendom; but the industry and vigilance of his own ambassadors in foreign parts. For which purpose his instructions were ever extreme curious and articulate; and in them more articles touching inquisition, than touching negotiation: Requiring likewise from his ambassadors an answer, in particular distinct articles, respectively to his questions.

As for his secret spials, which he did employ both at home and abroad, by them to discover what practices and conspiracies were against him, surely his case required it; he had such moles perpetually working and casting to undermine him. Neither can it be reprehended; for if spials be lawful against lawful enemies, much more against conspirators and traitors. But indeed to give them credence by oaths or curses, that cannot be well maintained; for those are too holy vestments for a disguise. Yet surely there was this farther good in his employing of these flies and familiars; that as the use of them was cause that many conspiracies were revealed, so the fame and suspicion of them kept, no doubt, many conspiracies from being attempted.

Towards his Queen he was nothing uxorious, nor scarce indulgent; but companiable and respective, and without jealousy. Towards his children he was full of paternal affection, careful of their education, aspiring to their high advancement, regular to see that they should not want of any due honour and respect, but not greatly willing to cast any popular lustre upon them.

To his council he did refer much, and sat oft in person; knowing it to be the way to assist his power, and inform his judgment. In which respect also he was fairly patient of liberty, both of advice, and of vote, till himself were *declared*. He kept a strait hand on his nobi-

lity, and chose rather to advance clergymen and lawyers, which were more obsequious to him, but had less interest in the people; which made for his absoluteness, but not for his safety. Insomuch as, I am persuaded, it was one of the causes of his troublesome reign; for that his nobles, though they were loyal and obedient, yet did not co-operate with him, but let every man go his own way. He was not afraid of an able man, as Lewis the eleventh was: but contrariwise, he was served by the ablest men that were to be found: without which his affairs could not have prospered as they did. For war, Bedford, Oxford, Surry, D'Aubigny, Brooke, Poynings: For other affairs, Morton, Fox, Bray, the prior of Lanthony, Warham, Urswick, Hussey, Frowick, and others. Neither did he care how cunning they were that he did employ: for he thought himself to have the master-reach. And as he chose well, so he held them up well; for it is a strange thing, that though he were a dark prince, and infinitely suspicious, and his times full of secret conspiracies and troubles; yet in twenty-four years reign, he never put down, or discomposed counsellor, or near servant, save only Stanley the lord chamberlain. As for the disposition of his subjects in general towards him, it stood thus with him; that of the three affections, which naturally tie the hearts of the subjects to their sovereigns, love, fear, and reverence; he had the last in height, the second in good measure, and so little of the first, as he was beholden to the other two.

He was a Prince, sad, serious, and full of thoughts, and secret observations, and full of notes and memorials of his own hand, especially touching persons. As, whom to employ, whom to reward, whom to inquire of, whom to beware of, what were the dependencies, what were the factions, and the like; keeping, as it were, a journal of his thoughts. There is to this day a merry tale; that his monkey, set on as it was thought by one of his chamber, tore his principal note-book all to pieces, when by chance it lay forth: whereat the court, which liked not those pensive accounts, was almost tickled with sport.

He was indeed full of apprehensions and suspicions; but as he did easily take them, so he did easily check

them and master them; whereby they were not dangerous, but troubled himself more than others. It is true, his thoughts were so many, as they could not well always stand together; but that which did good one way, did hurt another. Neither did he at sometimes weigh them aright in their proportions. Certainly, that rumour which did him so much mischief, that the duke of York should be saved, and alive, was, at the first, of his own nourishing; because he would have more reason not to reign in the right of his wife. He was affable, and both well and fair spoken; and would use strange sweetness and blandishments of words, where he desired to effect or persuade any thing that he took to heart. He was rather studious than learned; reading most books that were of any worth, in the French tongue, yet he understood the Latin, as appeareth in that cardinal Hadrian and others, who could very well have written French, did use to write to him in Latin.

For his pleasures, there is no news of them; and yet by his instructions to Marsin and Stile, touching the Queen of Naples, it seemeth he could interrogate well touching beauty. He did by pleasures, as great Princes do by banquets, come and look a little upon them, and turn away. For never Prince was more wholly given to his affairs, nor in them more of himself: insomuch as in triumphs of justs and tourneys, and balls, and masks, which they then called disguises, he was rather a princely and gentle spectator, than seemed much to be delighted.

No doubt, in him, as in all men, and most of all in Kings, his fortune wrought upon his nature, and his nature upon his fortune. He attained to the crown, not only from a private fortune, which might endow him with moderation; but also from the fortune of an exiled man, which had quickened in him all seeds of observation and industry. And his times being rather prosperous than calm, had raised his confidence by success, but almost marred his nature by troubles. His wisdom, by often evading from perils, was turned rather into a dexterity to deliver himself from dangers, when they pressed him, than into a providence to prevent and remove them afar off. And

even in nature, the sight of his mind was like some sights of eyes; rather strong at hand, than to carry afar off. For his wit increased upon the occasion: and so much the more, if the occasion were sharpened by danger. Again, whether it were the shortness of his foresight, or the strength of his will, or the dazzling of his suspicions, or what it was; certain it is, that the perpetual troubles of his fortunes, there being no more matter out of which they grew, could not have been without some great defects and main errors in his nature, customs, and proceedings, which he had enough to do to save and help with a thousand little industries and watches. But those do best appear in the story itself. Yet take him with all his defects, if a man should compare him with the Kings his concurrents in France, and Spain, he shall find him more politic than Lewis the twelfth of France, and more entire and sincere than Ferdinando of Spain. But if you shall change Lewis the twelfth for Lewis the eleventh, who lived a little before, then the consort is more perfect. For that Lewis the eleventh, Ferdinando, and Henry, may be esteemed for the *tres magi* of kings of those ages. To conclude, if this King did no greater matters, it was long of himself: for what he minded he compassed.

He was a comely personage, a little above just stature, well and straight limbed, but slender. His countenance was reverend, and a little like a churchman: and as it was not strange or dark, so neither was it winning or pleasing, but as the face of one well disposed. But it was to the disadvantage of the painter, for it was best when he spake.

His worth may bear a tale or two, that may put upon him somewhat that may seem divine. When the lady Margaret his mother had divers great suitors for marriage, she dreamed one night, that one in the likeness of a bishop in pontifical habit did tender her Edmund earl of Richmond, the King's father, for her husband, neither had she ever any child but the King, though she had three husbands. One day when King Henry the sixth, whose innocency gave him holiness, was washing

his hands at a great feast, and cast his eye upon King Henry, then a young youth, he said; "This is the lad that shall possess quietly that, that we now strive for." But that, that was truly divine in him, was that he had the fortune of a true Christian, as well as of a great King, in living exercised, and dying repentant: So as he had an happy warfare in both conflicts, both of sin, and the cross.

He was born at Pembroke castle, and lieth buried at Westminster, in one of the stateliest and daintiest monuments of Europe, both for the chapel, and for the sepulchre. So that he dwelleth more richly dead, in the monument of his tomb, than he did alive in Richmond, or any of his palaces. I could wish he did the like in this monument of his fame.

THE

HISTORY OF THE REIGN

OF

KING HENRY THE EIGHTH.

After the decease of that wise and fortunate King, Henry the seventh, who died in the height of his prosperity, there followed, as useth to do, when the sun setteth so exceeding clear, one of the fairest mornings of a kingdom that hath been known in this land, or anywhere else. A young King, about eighteen years of age, for stature, strength, making, and beauty, one of the goodliest persons of his time. And though he were given to pleasure, yet he was likewise desirous of glory; so that there was a passage open in his mind, by glory, for virtue. Neither was he unadorned with learning, though therein he came short of his brother Arthur. He had never any the least pique, difference, or jealousy with the King his father, which might give any occasion of altering court or council upon the change; but all things passed in a still. He was the first heir of the white and red rose; so that there was no discontented party now left in the kingdom, but all men's hearts turned towards him: and not only their hearts, but their eyes also; for he was the only son of the kingdom. He had no brother; which though it be a comfortable thing for Kings to have, yet it draweth the subjects eyes a little aside. And yet being a married man in those young years, it promised hope of speedy issue to succeed in the crown. Neither was there any Queen mother, who might share any way in the government, or clash with his counsellors for authority, while the King intended his pleasure. No such thing as any great and mighty subject, who might any way eclipse or overshade the imperial power. And for the people and state in general, they were in such lowness of obedience, as subjects were like to yield, who

had lived almost four and twenty years under so politic a King as his father; being also one who came partly in by the sword; and had so high a courage in all points of regality; and was ever victorious in rebellions and seditions of the people. The crown extremely rich and full of treasure, and the kingdom like to be so in a short time. For there was no war, no dearth, no stop of trade, or commerce; it was only the crown which had sucked too hard, and now being full, and upon the head of a young King, was like to draw less. Lastly, he was inheritor of his father's reputation, which was great throughout the world. He had strait alliance with the two neighbour states, an ancient enemy in former times, and an ancient friend, Scotland and Burgundy. He had peace and amity with France, under the assurance, not only of treaty and league, but of necessity and inability in the French to do him hurt, in respect that the French King's designs were wholly bent upon Italy; so that it may be truly said, there had scarcely been seen, or known, in many ages, such a rare concurrence of signs and promises, and of a happy and flourishing reign to ensue, as were now met in this young King, called after his father's name, Henry the eighth.

THE

BEGINNING

OF THE

HISTORY OF GREAT BRITAIN.

By the decease of Elizabeth, Queen of England, the issues of King Henry the eighth failed, being spent in one generation, and three successions. For that King, though he were one of the goodliest persons of his time, yet he left only by his six wives three children; who reigning successively, and dying childless, made place to the line of Margaret, his eldest sister, married to James the fourth King of Scotland. There succeeded therefore to the kingdom of England, James the sixth, then King of Scotland, descended of the same Margaret both by father and mother: so that by a rare event in the pedigrees of Kings, it seemed as if the divine providence, to extinguish and take away all envy and note of a stranger, had doubled upon his person, within the circle of one age, the royal blood of England, by both parents. This succession drew towards it the eyes of all men, being one of the most memorable accidents that had happened a long time in the Christian world. For the kingdom of France having been reunited in the age before in all the provinces thereof formerly dismembred: and the kingdom of Spain being, of more fresh memory, united and made entire, by the annexing of Portugal in the person of Philip the second; there remained but this third and last union, for the counterpoising of the power of these three great monarchies; and the disposing of the affairs of Europe thereby to a more assured and universal peace and concord. And this event did hold mens observations and discourses the more, because the island of Great Britain, divided from the rest of the world, was never before united in itself under one King, notwithstanding *the people* be of one language, and not separate by moun-

tains or great waters; and notwithstanding also that the uniting of them had been in former times industriously attempted both by war and treaty. Therefore it seemed a manifest work of providence, and a case of reservation for these times: insomuch that the vulgar conceived that now there was an end given, and a consummation to superstitious prophecies, the belief of fools, but the talk sometimes of wise men, and to an ancient tacit expectation, which had by tradition been infused and inveterated into mens minds. But as the best divinations and predictions are the politic and probable foresight and conjectures of wise men, so in this matter the providence of King Henry the seventh was in all mens mouths; who being one of the deepest and most prudent princes of the world, upon the deliberation concerning the marriage of his eldest daughter into Scotland, had, by some speech uttered by him, shewed himself sensible and almost prescient of this event.

Neither did there want a concurrence of divers rare external circumstances, besides the virtues and condition of the person, which gave great reputation to this succession. A King in the strength of his years, supported with great alliances abroad, established with royal issue at home, at peace with all the world, practised in the regiment of such a kingdom, as might rather enable a King by variety of accidents, than corrupt him with affluence or vain-glory; and one that besides his universal capacity and judgment, was notably exercised and practised in matters of religion and the Church: which in these times, by the confused use of both swords, are become so intermixed with considerations of estate, as most of the counsels of sovereign princes or republics depend upon them: but nothing did more fill foreign nations with admiration and expectation of his succession, than the wonderful and, by them, unexpected consent of all estates and subjects of England, for the receiving of the King without the least scruple, pause, or question. For it had been generally dispersed by the fugitives beyond the seas, who, partly to apply themselves to the ambition of foreigners, and partly to give estimation and value to their own employments, used

to represent the state of England in a false light, that after Queen Elizabeth's decease there must follow in England nothing but confusions, interreigns, and perturbations of estate, likely far to exceed the ancient calamities of the civil wars between the houses of Lancaster and York, by how much more the dissensions were like to be more mortal and bloody, when foreign competition should be added to domestical; and divisions for religion to matter of title to the crown. And in special, Parsons the Jesuit, under a disguised name, had not long before published an express treatise, wherein, whether his malice made him believe his own fancies, or whether he thought it the fittest way to move sedition, like evil spirits, which seem to foretel the tempest they mean to move; he laboured to display and give colour to all the vain pretences and dreams of succession which he could imagine; and thereby had possessed many abroad that knew not the affairs here with those his vanities. Neither wanted there here within this realm, divers persons both wise and well affected, who, though they doubted not of the undoubted right, yet setting before themselves the waves of people's hearts, guided no less by sudden and temporary winds, than by the natural course and motion of the waters, were not without fear what might be the event. For Queen Elizabeth being a Princess of extreme caution, and yet one that loved admiration above safety; and knowing the declaration of a successor might in point of safety be disputable, but in point of admiration and respect assuredly to her disadvantage; had from the beginning set it down for a maxim of estate, to impose a silence touching succession. Neither was it only reserved as a secret of estate, but restrained by severe laws, that no man should presume to give opinion, or maintain argument touching the same: so, though the evidence of right drew all the subjects of the land to think one thing; yet the fear of danger of law made no man privy to others thought. And therefore it rejoiced all men to see so fair a morning of a kingdom, and to be thoroughly secured of former apprehensions; as a man that awaketh out of a fearful dream. But so it was,

that not only the consent, but the applause and joy was infinite, and not to be expressed, throughout the realm of England upon this succession: whereof the consent, no doubt, may be truly ascribed to the clearness of the right; but the general joy, alacrity, and gratulation, were the effects of differing causes. For Queen Elizabeth, although she had the use of many both virtues and demonstrations, that might draw and knit unto her the hearts of her people; yet nevertheless carrying a hand restrained in gift, and strained in points of prerogative, could not answer the votes either of servants or subjects to a full contentment; especially in her latter days, when the continuance of her reign, which extended to five and forty years, might discover in people their natural desire and inclination towards change: so that a new court and a new reign were not to many unwelcome. Many were glad, and especially those of settled estate and fortune, that the fears and uncertainties were overblown, and that the dye was cast. Others, that had made their way with the King, or offered their service in the time of the former Queen, thought now the time was come for which they had prepared: and generally all such as had any dependence upon the late earl of Essex, who had mingled the service of his own ends with the popular pretence of advancing the King's title, made account their cause was amended. Again, such as might misdoubt they had given the King any occasion of distaste, did contend by their forwardness and confidence to shew, it was but their fastness to the former government, and that those affections ended with the time. The papists nourished their hopes, by collating the case of the papists in England, and under Queen Elizabeth, and the case of the papists in Scotland under the King: interpreting that the condition of them in Scotland was the less grievous, and divining of the King's government here accordingly: besides the comfort they ministered to themselves from the memory of the Queen his mother. The ministers, and those which stood for the presbytery, thought their cause had more sympathy with the discipline of Scotland than the hierarchy of England, and so took themselves to be a degree nearer

their desires. Thus had every condition of persons some contemplation of benefit, which they promised themselves; over-reaching perhaps, according to the nature of hope, but yet not without some probable ground of conjecture. At which time also there came forth in print the King's book, intitled, Βασιλικὸν Δῶρον: containing matter of instruction to the Prince his son touching the office of a King; which book falling into every man's hand, filled the whole realm, as with a good perfume or incense, before the King's coming in; for being excellently written, and having nothing of affectation, it did not only satisfy better than particular reports touching the King's disposition, but far exceeded any formal or curious edict or declaration, which could have been devised of that nature, wherewith Princes in the beginning of their reigns do use to grace themselves, or at least express themselves gracious in the eyes of their people. And this was for the general the state and constitution of mens minds upon this change; the actions themselves passed in this manner.

. . . . . .

The rest is wanting.

LETTERS.

LETTERS

IN THE

REIGN OF QUEEN ELIZABETH.

I.[1]

IT MAY PLEASE YOUR GOOD LORDSHIPS,

I AM sorry the joint masque from the four inns of court faileth; wherein I conceive there is no other ground of that event but impossibility. Nevertheless, because it falleth out that at this time Gray's Inn is well furnished of gallant young gentlemen, your lordship may be pleased to know, that rather than this occasion shall pass without some demonstration of affection from the inns of court, there are a dozen gentlemen of Gray's Inn, that out of the honour which they bear to your lordship and my lord chamberlain, to whom at their last masque they were so much bounden, will be ready to furnish a masque; wishing it were in their power to perform it according to their mind. And so for the present I humbly take my leave, resting,

Your Lordship's very humble and much bounden,

FR. BACON.

II. A LETTER OF CEREMONY TO QUEEN ELIZABETH, UPON THE SENDING OF A NEW-YEAR'S GIFT[2].

IT MAY PLEASE YOUR SACRED MAJESTY,

ACCORDING to the ceremony of the time, I would not forget, in all humbleness, to present your Majesty with a small new-year's gift: nothing to my mind. And therefore to supply it, I cannot but pray to God to give your Majesty his new-year's gift; that is, a new year

[1] Harl. MSS. Vol. 7042. No. 2. [2] Rawley's Resuscitatio.

that shall be as no year to your body, and as a year with two harvests to your coffers; and every other way prosperous and gladsome. And so I remain,

Your Majesty's loyal and obedient subject.

III. A LETTER OF CEREMONY TO QUEEN ELIZABETH, UPON THE SENDING OF A NEW-YEAR'S GIFT [1].

MOST EXCELLENT SOVEREIGN MISTRESS,

THE only new-year's gift, which I can give your Majesty, is that, which God hath given to me; which is, a mind in all humbleness to wait upon your commandments and business: wherein I would to God, that I were hooded, that I saw less: or that I could perform more: for now I am like a hawk, that bates, when I see occasion of service, but cannot fly, because I am tied to another's fist. But mean while, I continue my presumption of making to your Majesty my poor oblation of a garment; as unworthy the wearing, as his service, that sends it, but the approach to your excellent person may give worth to both; which is all the happiness I aspire unto.

IV. TO THE QUEEN [2].

IT MAY PLEASE YOUR SACRED MAJESTY,

I WOULD not fail to give your Majesty my most humble and due thanks, for your royal choice of such commissioners in the great star-chamber cause; being persons, besides their honour, of such science and integrity: by whose report I doubt not but your Majesty will find that, which you have been heretofore informed, both by my lord keeper, and by some much meaner person, touching the nature of that cause, to be true. This preparatory hearing doth already assail me, with new and enlarged offers of composition; which if I had born a mind to have hearkened unto, this matter had been quenched long ago, without any benefit to your Majesty.

[1] Rawley's Resuscitatio. [2] Ibid. Probably wrote 1600.

But your Majesty's benefit is to me in greater regard than mine own particular: trusting to your Majesty's gracious disposition and royal word, that your Majesty will include me in any extraordinary course of your sovereign pleasure, which your Majesty shall like to take in this cause. The other man, I spoke to your Majesty of, may, within these two terms, be in the same straits, between your Majesty's justice and mercy, that this man now is, if your Majesty be so pleased. So most humbly craving pardon for my presuming to seek access for these few lines, I recommend your Majesty to the most precious custody and best preservation of the Divine Majesty.

Your Majesty's most humble, and entirely obedient servant and subject.

V. TO THE QUEEN [1].

IT MAY PLEASE YOUR EXCELLENT MAJESTY,

I PRESUME according to the ceremony and good manner of the time and my accustomed duty, in all humbleness, to present your Majesty with a simple gift; almost as far from answering my mind, as sorting with your greatness; and therewith wish, that we may continue to reckon on, and ever, your Majesty's happy years of reign: and they that reckon upon any other hopes, I would they might reckon short and to their cost. And so craving pardon most humbly, I commend your Majesty to the preservation of the divine goodness.

VI. TO THE QUEEN [2].

IT MAY PLEASE YOUR EXCELLENT MAJESTY,

I MOST humbly intreat your Majesty, not to impute my absence to any weakness of mind or unworthiness. But, I assure your Majesty, I do find envy beating so strongly upon me, standing as I do, if this be to stand, as it were not strength of mind, but stupidity, if I should not decline the occasions; except I could do your Majesty more service than I can any ways discern that I am able

[1] Rawley's Resuscitatio. [2] Rawley's Resuscitatio.

to do. My course towards your Majesty, God is my witness, hath been pure and unleavened: and never poor gentleman, as I am persuaded, had a deeper and truer desire and care of your glory, your safety, your repose of mind, your service: wherein, if I have exceeded my outward vocation, I most humbly crave your Majesty's pardon for my presumption. On the other side, if I have come short of my inward vocation, I most humbly crave God's pardon for quenching the Spirit. But in this mind I find such solitude, and want of comfort, which I judge to be, because I take duty too exactly, and not according to the dregs of this age, wherein the old anthem might never be more truly sung, "Totus mundus in maligno positus est." My life hath been threatened, and my name libelled, which I count an honour. But these are the practices of those whose despairs are dangerous, but yet not so dangerous as their hopes; or else the devices of some, that would put out all your Majesty's lights, and fall on reckoning how many years you have reigned; which I beseech our blessed Saviour may be doubled, and that I may never live to see any eclipse of your glory, interruption of safety, or indisposition of your person, which I commend to the Divine Majesty, who keep you and fortify you.

This seems to refer to the Earl of Essex, 1600.

VII. TO MY LORD TREASURER BURGHLEY, 1591[1].

MY LORD,

WITH as much confidence as mine own honest and faithful devotion unto your service, and your honourable correspondence unto me and my poor estate can breed in a man, do I commend myself unto your lordship. I wax now somewhat ancient; one and thirty years is a great deal of sand in the hour-glass. My health, I thank God, I find confirmed; and I do not fear that action shall impair it; because I account my ordinary course of study and meditation to be more painful than most parts of action are. I ever bare a mind, in some middle place that I could discharge, to serve her majesty; not as a

[1] Rawley's Resuscitatio.

man born under Sol, that loveth honour; nor under Jupiter, that loveth business, for the contemplative planet carrieth me away wholly: but as a man born under an excellent sovereign, that deserveth the dedication of all mens abilities. Besides I do not find in myself so much self-love, but that the greater part of my thoughts are to deserve well, if I were able, of my friends, and namely of your lordship; who being the Atlas of this commonwealth, the honour of my house, and the second founder of my poor estate, I am tied by all duties, both of a good patriot, and of an unworthy kinsman, and of an obliged servant, to employ whatsoever I am, to do you service. Again, the meanness of my estate doth somewhat move me: for though I cannot accuse myself, that I am either prodigal or slothful, yet my health is not to spend, nor my course to get. Lastly, I confess that I have as vast contemplative ends, as I have moderate civil ends: for I have taken all knowledge to be my province; and if I could purge it of two sorts of rovers, whereof the one with frivolous disputations, confutations, and verbosities; the other with blind experiments and auricular traditions and impostures, hath committed so many spoils; I hope I should bring in industrious observations, grounded conclusions, and profitable inventions and discoveries; the best state of that province. This, whether it be curiosity, or vain glory, or nature, or if one take it favourably, *philanthropia*, is so fixed in my mind, as it cannot be removed. And I do easily see that place of any reasonable countenance doth bring commandment of more wits than of a man's own; which is the thing I greatly affect. And for your lordship, perhaps you shall not find more strength and less encounter in any other. And if your lordship shall find now or at any time, that I do seek or affect any place, whereunto any that is nearer unto your lordship shall be concurrent, say then that I am a most dishonest man. And if your lordship will not carry me on, I will not do as Anaxagoras did, who reduced himself with contemplation unto voluntary poverty: but this I will do, I will sell the inheritance that I have, and purchase some lease of quick revenue, or some office of gain, that shall be executed by deputy,

and so give over all care of service, and become some sorry book-maker, or a true pioneer in that mine of truth, which, he said, lay so deep. This which I have writ unto your lordship, is rather thoughts than words, being set down without all art, disguising, or reservation: wherein I have done honour both to your lordship's wisdom, in judging that that will be best believed of your lordship which is truest; and to your lordship's good nature in retaining nothing from you. And even so, I wish your lordship all happiness, and to myself means and occasion to be added to my faithful desire to do you service.

From my lodging at Gray's Inn.

VIII. TO THE LORD TREASURER BURGHLEY[1].

MY SINGULAR GOOD LORD,

YOUR lordship's comfortable relation of her majesty's gracious opinion and meaning towards me, though at that time your leisure gave me not leave to shew how I was affected therewith; yet upon every representation thereof it entereth and striketh more deeply into me, as both my nature and duty presseth me to return some speech of thankfulness. It must be an exceeding comfort and encouragement to me, setting forth and putting myself in way towards her majesty's service, to encounter with an example so private and domestical, of her majesty's gracious goodness and benignity; being made good and verified in my father, so far forth, as it extendeth to his posterity: accepting them as commended by his service, during the non-age, as I may term it, of their own deserts. I, for my part, am very well content, that I take least part, either of his abilities of mind, or of his worldly advancement; both which he held and received, the one of the gift of God immediately, the other of her majesty's gift: yet in the loyal and earnest affection which he bare to her majesty's service, I trust my portion shall not be with the least: nor in proportion with the youngest birth. For methinks his precedent should be

[1] Rawley's Resuscitatio.

a silent charge, upon his blessing, unto us all, in our degrees, to follow him afar off, and to dedicate unto her majesty's service both the use and spending of our lives. True it is, that I must needs acknowledge myself prepared and furnished thereunto with nothing but with a multitude of lacks and imperfections; but calling to mind how diversly, and in what particular providence God hath declared himself to tender the state of her majesty's affairs, I conceive and gather hope, that those whom he hath in a manner press'd for her majesty's service, by working and imprinting in them a single and zealous mind to bestow their duties therein; he will see them accordingly appointed of sufficiency convenient for the rank and standing where they shall be employed: so as, under this her majesty's blessing, I trust to receive a larger allowance of God's graces. And as I may hope for this, so I can assure and promise for my endeavour, that it shall not be in fault; but what diligence can intitle me unto, that I doubt not to recover. And now seeing it hath pleased her majesty to take knowledge of this my mind, and to vouchsafe to appropriate me unto her service, preventing any desert of mine with her princely liberality; first, I humbly do beseech your lordship, to present to her majesty my more than humble thanks for the same: and withal, having regard to my own unworthiness to receive such favour, and to the small possibility in me to satisfy and answer what her majesty conceiveth, I am moved to become a most humble suitor to her majesty, that this benefit also may be affixed unto the other; which is, that if there appear in me no such towardness of service, as it may be her majesty doth benignly value and assess me at, by reason of my sundry wants, and the disadvantage of my nature, being unapt to lay forth the simple store of those inferior gifts which God hath allotted unto me, most to view; yet that it would please her excellent majesty, not to account my thankfulness the less, for that my disability is great to shew it; but to sustain me in her majesty's gracious opinion, whereupon I only rest, and not upon any expectation of desert to proceed from myself towards the contentment thereof. But if it shall please God to

send forth an occasion whereby my faithful affection may be tried, I trust it shall save me labour for ever making more protestation of it hereafter. In the mean time, howsoever it be not made known to her majesty, yet God knoweth it through the daily solicitations wherewith I address myself unto him, in unfeigned prayer, for the multiplying of her majesty's prosperities. To your lordship also, whose recommendation, I know right well, hath been material to advance her majesty's good opinion of me, I can be but a bounden servant. So much may I safely promise, and purpose to be, seeing public and private bonds vary not, but that my service to her majesty and your lordship draw in a line. I wish therefore to shew it with as good proof, as I can say it in good faith, etc.

Your lordship's, etc.

IX. TO THE LORD TREASURER BURGHLEY [1].

MAY IT PLEASE YOUR GOOD LORDSHIP,

I AM to give you humble thanks for your favourable opinion, which, by Mr. Secretary's report I find, you conceive of me, for the obtaining of a good place, which some of my honourable friends have wished unto me *nec opinanti*. I will use no reason to persuade your lordship's mediation, but this, that your lordship, and my other friends, shall in this beg my life of the queen; for I see well the bar will be my bier, as I must and will use it, rather than my poor estate or reputation shall decay. But I stand indifferent whether God call me, or her majesty. Had I that in possession, which by your lordship's only means, against the greatest opposition, her majesty granted me, I would never trouble her majesty, but serve her still voluntarily without pay. Neither do I, in this, more than obey my friends conceits, as one that would not be wholly wanting to myself. Your lordship's good opinion doth somewhat confirm me, as that I take comfort in above all others; assuring your lordship, that I never thought so well of myself for any one thing, as that I have found a fitness to my thinking, in myself to ob-

[1] Rawley's Resuscitatio.

serve and revere your virtues: for the continuance whereof, in the prolonging of your days, I will still be your beadsman; and accordingly, at this time, commend your lordship to the divine protection.

X. TO THE LORD TREASURER BURGHLEY[1].

MOST HONOURABLE AND MY VERY GOOD LORD,

I KNOW I may commit an error in writing this letter, both in a time of great and weighty business, as also when myself am not induced thereto by any new particular occasion; and therefore your lordship may impute to me either levity, or ignorance what appertaineth to good respects and forwardness of dealing, especially to an honourable person, in whom there is such concurrence of "magnitudo honoris et oneris," as it is hard to say whether is the greater. But I answer myself first, that I have ever noted it as a part of your lordship's excellent wisdom, "parvis componere magna;" that you do not exclude inferior matters of access, amongst the care of great. And for myself, I thought it would better manifest what I desire to express, if I did write out of a deep and settled consideration of my own duty, rather than upon the spur of a particular occasion: and therefore, my singular good lord, "ex abundantia cordis," I must acknowledge how greatly and diversly your lordship hath vouchsafed to tie me unto you by many your benefits. The reversion of the office which your lordship only procured unto me, and carried through great and vehement opposition, though it yet bear no fruit, yet it is one of the fairest flowers of my poor estate; your lordship's constant and serious endeavours to have me solicitor; your late honourable wishes for the place of the wards; together with your lordship's attempt to give me way by the remove of Mr. Solicitor; they be matters of singular obligation: besides many other favours, as well by your lordship's grants from yourself, as by your commendation to others, which I have had for my help; and may justly persuade myself, out of the few

[1] Rawley's Resuscitatio.

denials I have received, that fewer might have been, if mine own industry and good hap had been answerable to your lordship's goodness. But, on the other side, I most humbly pray your lordship's pardon if I speak it: the time is yet to come that your lordship did ever use or command, or employ me, in my profession, in any services or occasions of your lordship's own, or such as are near unto your lordship; which hath made me fear sometimes, that your lordship doth more honourably affect me, than thoroughly discern of my most humble and dutiful affection to your lordship again: which if it were not in me, I knew not whether I were unnatural, unthankful, or unwise. This causeth me most humbly to pray your lordship, and I know mine own case too well, to speak it as weening I can do your lordship service, but as willing to do it, as, to believe, that your lordship is upon just title a principal owner and proprietor of that, I cannot call, talent, but mite, that God hath given me; which I ever do, and shall devote to your service. And in like humble manner, I pray your lordship to pardon mine errors, and not to impute unto me the errors of any other, which I know also themselves have by this time left and forethought, but to conceive of me to be a man that daily profiteth in duty. It is true I do in part comfort myself, supposing that it is my weakness and insufficiency that moveth your lordship, who hath so general a command, to use others more able. But let it be as it is, for duty only and homage I will boldly undertake, that nature and true thankfulness shall never give place to a politic dependence. Lastly, I most humbly desire your lordship to continue unto me the good favour, and countenance, and encouragement, in the course of my poor travails, whereof I have had some taste and experience; for the which I yield your lordship my very humble good thanks. And so again, craving your honour's pardon for so long a letter, carrying so empty an offer of so impuissant a service, but yet a true and unfeigned signification of an honest and vowed duty; I cease, commending your lordship to the preservation of the Divine Majesty.

XI. A LETTER TO THE LORD TREASURER BURGHLEY, IN EXCUSE OF HIS SPEECH IN PARLIAMENT AGAINST THE TRIPLE SUBSIDY[1].

IT MAY PLEASE YOUR LORDSHIP,

I WAS sorry to find, by your lordship's speech yesterday, that my last speech in parliament, delivered in discharge of my conscience, and duty to God, her majesty, and my country, was offensive. If it were misreported, I would be glad to attend your lordship to disavow any thing I said not; if it were misconstrued, I would be glad to expound myself, to exclude any sense I meant not. If my heart be misjudged by imputation of popularity or opposition, by any envious or officious informer, I have great wrong; and the greater, because the manner of my speech did most evidently show, that I spake simply and only to satisfy my conscience, and not with any advantage, or policy to sway the cause: and my terms carried all signification of duty and zeal towards her majesty and her service. It is true, that from the beginning, whatsoever was above a double subsidy, I did wish might, for precedent sake, appear to be extraordinary, and, for discontent's sake, might not have been levied upon the poorer sort: though otherwise, I wished it as rising as I think this will prove, and more. This was my mind, I confess it: and therefore I most humbly pray your good lordship, first, to continue me in your own good opinion: and then to perform the part of an honourable friend towards your poor servant and alliance, in drawing her majesty to accept of the sincerity and simplicity of my heart, and to bear with the rest, and restore me to her majesty's good favour, which is to me dearer than my life. And so, etc.

Your Lordship's most humble in all duty.

1593, April.

[1] Rawley's Resuscitatio.

XII. TO THE RIGHT HONOURABLE HIS VERY GOOD LORD, THE LORD KEEPER OF THE GREAT SEAL, ETC.[1]

MY VERY GOOD LORD,

I WAS wished to be here ready in expectation of some good effect; and therefore I commend my fortune to your lordship's kind and honourable furtherance. My affection inclineth me to be much [your] lordship's, and my course and way, in all reason and policy for myself, leadeth me to the same dependence: hereunto if there shall be join'd your lordship's obligation in dealing strongly for me as you have begun, no man can be more yours. A timorous man is every body's, and a covetous man is his own. But if your lordship consider my nature, my course, my friends, my opinion with her majesty, if this eclipse of her favour were past, I hope you will think, I am no unlikely piece of wood to shape you a true servant of. My present thankfulness shall be as much as I have said. I humbly take my leave.

Your Lordship's true humble servant,

FR. BACON.

From Greenwich this
5th of April, 1594.

XIII. TO THE RIGHT HONOURABLE MY VERY GOOD LORD, THE LORD KEEPER[2].

MY LORD,

I HAVE, since I spake with your lordship, pleaded to the queen against herself for the injury she doth Mr. Bacon in delaying him so long, and the unkindness she doth me in granting no better expedition in a suit which I have followed so long, and so affectionately. And though I find that she makes some difficulty, to have the more thanks, yet I do assure myself she is resolved to make him. I do write this not to solicit your lordship to stand firm in assisting me, because, I know, you hold yourself already tied by your affection to Mr. Bacon, and by your promise to me: but to acquaint your lordship of my resolution to set up my rest, and employ my uttermost strength to

[1] Harl. MSS. Vol. 6997. No. 20. [2] Ibid. No. 87.

get him placed before the term: so as I beseech your lordship think of no temporising course, for I shall think the queen deals unkindly with me, if she do not both give him the place, and give it with favour and some extraordinary advantage. I wish your lordship all honour and happiness; and rest,

Your Lordship's very assured,

ESSEX.

Greenwich, this 14th of January, [1594.]

Endorsed,

My lord of Essex for Mr. Fran. Bacon to be solicitor.

XIV. TO THE RIGHT HONOURABLE HIS VERY GOOD LORD, THE LORD KEEPER OF THE GREAT SEAL[1].

MY VERY GOOD LORD,

SIR Thomas Egerton failing of your lordship, being newly gone, sent his letter to me to see conveyed unto you, which I send inclosed; desiring your lordship, according to your kind affection, to make the best use thereof for my furtherance. And I pray your lordship to call to remembrance my lord treasurer's kind course, who affirmed directly all the rest to be unfit. And because *vis unita fortior*, I pray your lordship to take a time with the queen when my lord treasurer is present. Thus in hope to-morrow will bring forth some good effect, I rest,

Your Lordship's in all humble duty and service,

FR. BACON.

XV. TO THE RIGHT HONOURABLE, ETC. THE LORD KEEPER, ETC.[2]

MY VERY GOOD LORD,

BECAUSE I understand your lordship remaineth at court till this day, and that my lord of Essex writeth to me, that his lordship cometh to London, I thought good to remember your Lordship, and to request you, as I

[1] Harl. MMS. Vol. 6996. No. 52. [2] Ibid. No. 50.

touched in my last, that if my lord treasurer be absent, your lordship would forbear to fall into my business with her majesty, lest it might receive some foil before the time, when it should be resolutely dealt in. And so commending myself to your good favour, I most humbly take my leave.

Your Lordship's in all humble duty and service,

FR. BACON.

From Gray's-Inn this 8th of April, 1594.

XVI. EARL OF ESSEX, TO LORD KEEPER PUCKERING[1].

MY LORD,

MY short stay at the court made me fail of speaking with your lordship; therefore I must write that which myself had told you; that is, that your lordship will be pleased to forbear pressing for a solicitor, since there is no cause towards the end of a term to call for it; and because the absence of Mr. Bacon's friends may be much to his disadvantage. I wish your lordship all happiness, and rest

Your Lordship's very assured to be commanded,

ESSEX.

Wanstead this 4th of May, 1594.

XVII. TO THE RIGHT HONOURABLE THE LORD KEEPER, ETC.

IT MAY PLEASE YOUR GOOD LORDSHIP,

I UNDERSTAND of some business like enough to detain the queen to-morrow, which maketh me earnestly to pray your good lordship, as one that I have found to take my fortune to heart, to take some time to remember her majesty of a solicitor this present day.

Our Tower employment stayeth, and hath done these three days, because one of the principal offenders being brought to confess, and the other persisting in denial, her majesty in her wisdom thought best some time were

[1] Harl. MSS. Vol. 6996. No. 72.

given to him that is obstinate, to bethink himself; which indeed is singular good in such cases. Thus desiring your lordship's pardon, in haste I commend my fortune and duty to your favour.

Your Lordship's most humbly to receive your commandments,

FR. BACON.

From Gray's-Inn this
13th of August, 1594.

XVIII. TO THE RIGHT HONOURABLE THE LORD KEEPER, ETC.[1]

IT MAY PLEASE YOUR GOOD LORDSHIP,

As your lordship hath at divers times helped me to pass over contrary times, so I humbly pray you not to omit this favourable time. I cannot bear myself as I should, till I be settled. And thus desiring pardon I leave your lordship to God's preservation.

Your Lordship's most humbly at commandment,

FR. BACON.

From Gray's-Inn this
25th of August, 1594.

XIX. TO THE RIGHT HONOURABLE HIS VERY GOOD LORD, THE LORD KEEPER, ETC.[2]

IT MAY PLEASE YOUR GOOD LORDSHIP,

I WAS minded, according to the place of employment, though not of office, wherein I serve, for my better direction and the advancement of the service, to have acquainted your lordship, now before the term, with such her majesty's causes as are in my hands. Which course intended out of duty, I do now find by that I hear from my lord of Essex, your lordship of your favour is willing to use for my good, upon that satisfaction you may find in my travels. And I now send to your lordship, together with my humble thanks, to understand of your lordship's being at leisure, what part of to-morrow, to the end I may attend your lordship, which this afternoon I

[1] Harl. MSS. Vol. 6996. No. 103. [2] Ibid. No. 109.

cannot, in regard of some conference I have appointed with Mr. Attorney General. And so I commend your honourable lordship to God's good preservation.

Your good Lordship's humbly at your hon[ourable] commandments,

FR. BACON.

From Gray's-Inn the 25th of September, Friday.

XX. TO THE RIGHT HONOURABLE THE LORD KEEPER, ETC.[1]

IT MAY PLEASE YOUR GOOD LORDSHIP,

I RECEIVED, at my lord of Essex last going from court, a message of good assurance, which his lordship sent to my brother and to myself; which was this: That her majesty had stedfastly promised him to dispatch my matter to-morrow. And somewhat her majesty said to myself, when I attended her upon some service since, which I liked well, though it was with some doubtfulness, as, they say, her majesty useth till the last hour. This I thought good to signify to your good lordship, both that your lordship may perceive how effectual and operative your lordship's last dealing with her majesty was; and also that, now the wheel is going, your lordship would set it forward, the rather in respect of the necessity to go presently in hand with these criminal causes, if the commission shall hold according to the adjournment. And if her majesty should not be pleased presently to give order for a patent, yet if your lordship may by her warrant give me warning to prepare myself, it will be some hold and satisfaction. So thinking long to have the strength of place, to do your lordship acceptable service, I leave your good lordship to God's good preservation.

Your Lordship's most humbly at your hon[ourable] commandments,

FR. BACON.

From Gray's-Inn this 28th of September, 1594.

[1] Harl. MSS. Vol. 6996. No. 110.

XXI. TO THE RIGHT HONOURABLE THE LORD KEEPER, ETC[1].

IT MAY PLEASE YOUR LORDSHIP,

I THOUGHT good to step aside for nine days, which is the durance of a wonder, and not for any dislike in the world; for I think her majesty hath done me as great a favour in making an end of this matter, as if she had enlarged me from some restraint. And I humbly pray your lordship, if it so please you, to deliver to her majesty from me, that I would have been glad to have done her majesty service now in the best of my years, and the same mind remains in me still; and that it may be, when her majesty hath tried others, she will think of him that she hath cast aside. For I will take it upon that which her majesty hath often said, that she doth reserve me, and not reject me. And so I leave your good lordship to God's good preservation.

Your Lordship's much bounden,

FR. BACON.

From Twicknam-Park this
20th of May, 1595.

Endorsed,

Mr. Fr. Bacon, his contentation to leave the solicitorship.

XXII. A LETTER TO THE LORD TREASURER BURGHLEY, RECOMMENDING HIS FIRST SUIT, TOUCHING THE SOLICITOR'S PLACE[2].

MY LORD,

AFTER the remembrance of my most humble duty, though I know, by late experience, how mindful your lordship vouchsafeth to be of me and my poor fortunes, since it pleased your lordship, during your indisposition, when her majesty came to visit your lordship, to make mention of me for my employment and preferment; yet being now in the country, I do presume that your lordship, who of yourself had so honourable care of the matter, will not think it a trouble to be solicited therein.

[1] Harl. MSS. Vol. 6697. No. 14. [2] Rawley's Resuscitatio.

My hope is, that whereas your lordship told me her majesty was somewhat gravelled upon the offence she took at my speech in parliament; your lordship's favourable and good word, who hath assured me, that for your own part you construed, that I spake to the best, will be as a good tide to remove her from that shelf. And it is not unknown to your good lordship, that I was the first of the ordinary sort of the lower house of parliament that spake for the subsidy; and that which I after spake in difference, was but in circumstances of time and manner, which methinks should be no great matter, since there is variety allowed in council, as a discord in music, to make it more perfect. But I may justly doubt, not so much her majesty's impression upon this particular, as her conceit otherwise of my insufficiency; which though I acknowledge to be great, yet it will be the less, because I purpose not to divide myself between her majesty and the causes of other men, as others have done, but to attend her business only: hoping that a whole man meanly able, may do as well as half a man better able. And if her majesty think that she shall make an adventure in using one that is rather a man of study, than of practice and experience; surely I may remember to have heard that my father, an example, I confess, rather ready than like, was made solicitor of the augmentation, a court of much business, when he had never practised, and was but twenty-seven years old; and Mr. Brograve was now in my time called to be attorney of the duchy, when he had practised little or nothing; and yet discharged his place with great sufficiency. But these things and the like are as her majesty shall be made capable of them; wherein, knowing what authority your lordship's commendation hath with her majesty, I conclude with myself, that the substance of strength which I may receive, will be from your lordship. It is true, my life hath been so private, as I have had no means to do your lordship service; but yet, as your lordship knoweth, I have made offer of such as I could yield; for as God hath given me a mind to love the public; so incidently, I have ever had your lordship in singular admiration; whose happy ability her majesty hath so long used, to her great honour

and yours. Besides, that amendment of state or countenance, which I have received, hath been from your lordship. And therefore if your lordship shall stand a good friend to your poor ally, you shall but "tueri opus proprium," which you have begun. And your lordship shall bestow your benefit upon one that hath more sense of obligation than of self-love. Thus humbly desiring pardon of so long a letter, I wish your lordship all happiness. This 7th of June 1595.

Your Lordship's in all humbleness to be commanded.

XXIII. TO THE RIGHT HONOURABLE THE LORD KEEPER, ETC.[1]

MAY IT PLEASE YOUR GOOD LORDSHIP,

NOT able to attend your lordship myself, before your going to the court, by reason of an ague, which offered me a fit on Wednesday morning, but since by abstinence, I thank God, I have starved it, so as now he hath turned his back, I am chasing him away with a little physic: I thought good to write these few words to your lordship, partly to signify my excuse, if need be, that I assisted not Mr. Attorney on Thursday last in the star-chamber, at which time, it is some comfort to me, that I hear by relation somewhat was generally taken hold of by the court, which I formerly had opened and moved; and partly to express a little my conceit, touching the news which your lordship last told me from the queen, concerning a condition in law knit to an interest, which your lordship remembreth, and is supposed to be broken by misfeyance. Wherein surely my mind, as far as it appertaineth to me, is this, that as I never liked not so much as the coming in upon a lease by way of forfeiture, so I am so much enemy to myself, as I take no contentment in any such hope of advantage. For as your lordship can give me best testimony, that I never in my life propounded any such like motion, though I have been incited thereto; so the world will hardly believe, but that it is under-

[1] Harl. MSS. Vol. 6997. No. 18.

hand quickened and nourished from me. And truly, my lord, I would not be thought to supplant any man for great gain; and I humbly pray your lordship to continue your commendation and countenance to me in the course of the queen's service that I am entered into: which when it shall please God to move the queen to profit,[1] I hope I shall give cause for your lordship to obtain as many thanks as you have endured chidings. And so I commend your good lordship to God's good preservation.

Your Lordship's most humbly at your hon[ourable] commandment,

FR. BACON.

From Gray's Inn, the 11th of June, 1595.

XXIV. TO THE RIGHT HONOURABLE THE LORD KEEPER, ETC.[2]

IT MAY PLEASE YOUR LORDSHIP,

THERE hath nothing happened to me in the course of my business more contrary to my expectation, than your lordship's failing me, and crossing me now in the conclusion, when friends are best tried. But now I desire no more favour of your lordship, than I would do if I were a suitor in the chancery; which is this only, that you would do me right. And I for my part, though I have much to alledge, yet nevertheless, if I see her majesty settle her choice upon an able man, such a one as Mr. Serjeant Fleming, I will make no means to alter it. On the other side, if I perceive any insufficient obscure idole[3] man offered to her majesty, then I think myself double bound to use the best means I can for myself; which I humbly pray your lordship I may do with your favour, and that you will not disable me farther than is cause. And so I commend your lordship to God's preservation,

That beareth your lordship all humble respect,

FR. BACON.

From Gray's-Inn, the 28th of July, 1595.

Endorsed, in Lord Keeper's hand,

Mr. Bacon wronging me.

[1] *f.* perfect. [2] Harl. MSS. Vol. 6997. No. 37. [3] Ita MSS.

XXV. TO THE RIGHT HONOURABLE THE LORD KEEPER, ETC.[1]

MAY IT PLEASE YOUR LORDSHIP,

I THOUGHT it became me to write to your lordship, upon that which I have understood from my lord of Essex, who vouchsafed, as I perceive, to deal with your lordship of himself to join with him in the concluding of my business, and findeth your lordship hath conceived offence, as well upon my manner when I saw your lordship at Temple last, as upon a letter, which I did write to your lordship some time before. Surely, my lord, for my behaviour, I am well assured, I omitted no point of duty or ceremony towards your lordship. But I know too much of the court to beg a countenance in public place, where I make account I shall not receive it. And for my letter, the principal point of it was, that which I hope God will give me grace to perform, which is, that if any idole may be offered to her majesty, since it is mixt with my particular, to inform her majesty truly, which I must do, as long as I have a tongue to speak, or a pen to write, or a friend to use. And farther I remember not of my letter, except it were that I writ, I hoped your lordship would do me no wrong, which hope I do still continue. For if it please your lordship but to call to mind from whom I am descended, and by whom, next to God, her majesty, and your own virtue, your lordship is ascended; I know you will have a compunction of mind to do me any wrong. And therefore, good my lord, when your lordship favoureth others before me, do not lay the separation of your love and favour upon myself. For I will give no cause, neither can I acknowledge any, where none is; but humbly pray your lordship to understand things as they are. Thus sorry to write to your lordship in an argument which is to me unpleasant, though necessary, I commend your lordship to God's good preservation.

Your Lordship's in all humble respect,

FR. BACON.

From Twicknam-Park this
19th of August, 1595.

[1] Harl. MSS. Vol. 6997. No. 44.

XXVI. TO THE RIGHT HONOURABLE THE LORD KEEPER, ETC.[1]

IT MAY PLEASE YOUR GOOD LORDSHIP,

I AM sorry the opportunity permitteth me not to attend your lordship as I minded. But I hope your lordship will not be the less sparing in using the argument of my being studied and prepared in the queen's causes, for my furtherance, upon belief that I had imparted to your lordship my travels, which some time next week I mean to do. Neither have I been able to confer with Mr. Attorney, as I desired, because he was removing from one building to another. And besides, he alledged his note-book was in the country at ——— and so we respited it to some time next week. I think he will rather do me good offices than otherwise, except it be for the township your lordship remembreth by the verse. Thus I commend your honourable lordship to God's good preservation.

Your Lordship's most humble at your hon[ourable] commandment,

FR. BACON.

From Gray's-Inn this 25th of September, 1595.

XXVII. TO THE RIGHT HONOURABLE MY GOOD LORD, THE LORD KEEPER OF THE GREAT SEAL OF ENGLAND.[2]

IT MAY PLEASE YOUR GOOD LORDSHIP,

MY not acquainting your lordship hath proceeded of my not knowing any thing, and of my not knowing of my absence at Byssam with my lady Russel, upon some important cause of her son's. And as I have heard nothing, so I look for nothing, though my lord of Essex sent me word, he would not write till his lordship had good news. But his lordship may go on in his affection, which nevertheless myself have desired him to limit. But I do assure your lordship, I can take no farther care for the matter. I am now at Twicknam-park, where I think

[1] Harl. MSS. Vol. 6997. No. 59. [2] Ibid. No. 60.

to stay: for her majesty placing a solicitor, my travel shall not need in her causes, though whensoever her majesty shall like to employ me in any particular, I shall be ready to do her willing service. This I write lest your lordship might think my silence came of any conceit towards your lordship, which, I do assure you, I have not. And this needed I not to do, if I thought not so: for my course will not give me any ordinary occasion to use your favour, whereof nevertheless I shall ever be glad. So I commend your good lordship to God's holy preservation.

Your Lordship's humble, etc.

FR. BACON.

This eleventh of October, 1595.

XXVIII. TO THE RIGHT HONOURABLE THE LORD KEEPER, ETC[1].

IT MAY PLEASE YOUR GOOD LORDSHIP,

I CONCEIVE the end already made, which will, I trust, be to me a beginning of good fortune, or at least of content. Her majesty by God's grace shall live and reign long, she is not running away, I may trust her. Or whether she look towards me or no, I remain the same, not altered in my intention. If I had been an ambitious man, it would have overthrown me, but minded as I am, "Revertet benedictio mea in sinum meum." If I had made any reckoning of any thing to be stirred, I would have waited on your lordship, and will be at any time ready to wait on you to do you service. So I commend your good lordship to God's holy preservation.

Your Lordship's most humble at your hon[ourable] commandment,

FR. BACON.

From Twicknam-Park this 14th of October.

Endorsed:

14th October 95.

[1] Harl. MSS. Vol. 6997. No 61.

XXIX. TO THE RIGHT HONOURABLE THE LORD KEEPER, ETC.[1]

MY VERY GOOD LORD,

I RECEIVED a letter from a very friend of mine requesting me to move your lordship, to put into the commission for the subsidy, Mr. Richard Kempe, a reader of Gray's-Inn, and besides born to good estate, being also my friend and familiar acquaintance. And because I conceive the gentleman to be every way sortable with the service, I am bold to commend him to your lordship's good favour. And even so, with remembrance of my most humble duty, I rest,

Your Lordship's affectionate to do you humble service,

FR. BACON.

Twicknam-Park, July 3, 1595.

XXX. TO THE RIGHT HONOURABLE THE LORD KEEPER, ETC.[2]

MY LORD,

IN my last conference with your lordship, I did intreat you both to forbear hurting of Mr. Fr. Bacon's cause, and to suspend your judgment of his mind towards your lordship, till I had spoken with him. I went since that time to Twicknam-park to confer with him, and had signified the effect of our conference by letter ere this, if I had not hoped to have met with your lordship, and so to have delivered it by speech. I told your lordship when I last saw you, that this manner of his was only a natural freedom, and plainness, which he had used with me, and in my knowledge with some other of his best friends, than any want of reverence towards your lordship; and therefore I was more curious to look into the moving cause of his stile, than into the form of it: which now I find to be only a diffidence of your lordship's favour and love towards him, and no alienation of that dutiful mind which he hath borne towards your lordship. And therefore I am fully persuaded, that if your lordship would please to send for him, there would

[1] *Harl. MSS. Vol. 6997. No. 29.* [2] *Ibid. No. 47.*

grow so good satisfaction, as hereafter he should enjoy your lordship's honourable favour, in as great a measure as ever, and your lordship have the use of his service, who, I assure your lordship, is as strong in his kindness, as you find him in his jealousy. I will use no argument to persuade your lordship, that I should be glad of his being restored to your lordship's wonted favour; since your lordship both knoweth how much my credit is engaged in his fortune, and may easily judge how sorry I should be, that a gentleman whom I love so much, should lack the favour of a person whom I honour so much. And thus commending your lordship to God's best protection, I rest,

Your Lordship's very assured,

ESSEX.

Endorsed:

31 *August* 95. *My lord of Essex to have me send for Mr. Bacon, for he will satisfy me.* In my Lord Keeper's own hand.

XXXI. TO THE RIGHT HONOURABLE THE LORD KEEPER, ETC.[1]

MY VERY GOOD LORD,

THE want of assistance from them which should be Mr. Fr. Bacon's friends, makes [me] the more industrious myself, and the more earnest in soliciting mine own friends. Upon me the labour must lie of his establishment, and upon me the disgrace will light of his being refused. Therefore I pray your lordship, now account me not as a solicitor only of my friend's cause, but as a party interested in this: and employ all your lordship's favour to me, or strength for me, in procuring a short and speedy end. For though I know, it will never be carried any other way, yet I hold both my friend and myself disgraced by this protraction. More I would write, but that I know to so honourable and kind a friend, this which I have said is enough. And so I commend your lordship to God's best protection, resting,

At your lordship's commandment,

ESSEX.

[No date.]

[1] Harl. MSS. Vol. 6997. No. 106.

XXXII. TO MY LORD OF ESSEX, FROM MR. BACON, OCTOBER, 4, 1596[1].

MY SINGULAR GOOD LORD,

I WILL no longer dissever part of that, which I meant to have said to your lordship at Barn-Elms, from the *exordium* which I then made; whereunto I will only add this, that I humbly desire your lordship, before you give access to my poor advice, to look about, even jealously a little if you will, and to consider; first, whether I have not reason to think, that your fortune comprehended mine? Next, whether I shift my counsel, and do not *constare mihi?* for I am persuaded, there are some would give you the same counsel now which I shall, but that they should derogate from that which they have said heretofore. Thirdly, whether you have taken hurt, at any time, by my careful and devoted counsel; for although I remember well your lordship once told me, that you having submitted upon my well-meant motion at Nonsuch, the place where you renewed a treaty with her majesty of obsequious kindness, she had taken advantage of it; yet I suppose you do since believe, that it did much attemper a cold malignant humour then growing upon her majesty toward your lordship, and hath done you good in consequence. And for my being against it, now lately that you should not estrange yourself, although I give place to none in true gratulation; yet neither do I repent me of safe counsel; neither do I judge of the whole play by the first act. But whether I counsel you the best, or for the best, duty bindeth me to offer to you my wishes. I said to your lordship last time, "Martha, Martha, attendis ad plurima, unum sufficit;" win the queen: if this be not the beginning of any other course, I see no end. And I will not now speak of favour of affection, but of other correspondence and agreeableness; which, whensoever it shall be conjoined with the other of affection, I durst wager my life, let them make what *prosopopœias* they will of her majesty's nature, that in you she will come to the question of "Quid fiet homini, quem rex vult honorare?"

[1] Rawley's Resuscitatio.

But how is it now? A man of a nature not to be ruled, that hath the advantage of my affection, and knoweth it; of an estate not grounded to his greatness; of a popular reputation; of a military dependence. I demand, whether there can be a more dangerous image than this, represented to any monarch living, much more to a lady, and of her majesty's apprehension? And is it not more evident than demonstration itself, that whilst this impression continueth in her majesty's breast, you can find no other condition, than inventions to keep your estate bare and low; crossing and disgracing your actions; extenuating and blasting of your merit; carping with contempt at your nature and fashions; breeding, nourishing, and fortifying such instruments as are most factious against you; repulses and scorns of your friends, and dependents that are true and stedfast; winning and inveigling away from you such as are flexible and wavering; thrusting you into odious employments and offices to supplant your reputation; abusing you and feeding you with dalliances and demonstrations, to divert you from descending into the serious consideration of your own case; yea, and percase venturing you in perilous and desperate enterprises. Herein it may please your lordship to understand me; for I mean nothing less, than that these things should be plotted and intended as in her majesty's royal mind towards you: I know the excellency of her nature too well. But I say, wheresoever the formerly described impression is taken in any King's breast towards a subject, these other recited inconveniences must, of necessity of politic consequence, follow; in respect of such instruments as are never failing about princes: which spy into humours and conceits, and second them: and not only second them, but in seconding increase them; yea, and many times, without their knowledge, pursue them farther than themselves would. Your lordship will ask the question, wherewith the Athenians were wont to interrupt their orators, when they exaggerated their dangers; "Quid igitur agendum est?"

I will tell your lordship "quæ mihi nunc in mentem veniunt;" supposing nevertheless, that yourself, out of

your own wisdom upon the case, with this plainness and liberty represented to you, will find out better expedients and remedies. I wish a cure applied to every of the five former impressions, which I will take not in order, but as I think they are of weight.

For the removing the impression of your nature to be *opiniastre* and not rulable: first and above all things I wish, that all matters past, which cannot be revoked, your lordship would turn altogether upon insatisfaction, and not upon your nature or proper disposition. This string you cannot upon every apt occasion harp upon too much. Next, whereas I have noted you to fly and avoid, in some respect justly, the resemblance or imitation of my lord of Leicester, and my lord Chancellor Hatton; yet I am persuaded, howsoever I wish your lordship as distant as you are from them in points of favour, integrity, magnanimity, and merit, that it will do you much good between the queen and you, to alledge them, as oft as you find occasion, for authors and patterns: for I do not know a readier mean to make her majesty think you are in your right way. Thirdly, when at any time your lordship upon occasion happen in speeches to do her majesty right, for there is no such matter as flattery amongst you all, I fear you handle it "magis in speciem adornatis verbis, quam ut sentire videaris." So that a man may read formality in your countenance; whereas your lordship should do it familiarly, "et oratione fida." Fourthly, your lordship should never be without some particulars afoot, which you should seem to pursue with earnestness and affection; and then let them fall, upon taking knowledge of her majesty's opposition and dislike. Of which, the weightiest sort may be, if your lordship offer to labour, in the behalf of some that you favour, for some of the places now void; choosing such a subject as you think her majesty is like to oppose unto: and if you will say that this is "conjunctum cum aliena injuria," I will not answer, "Hæc non aliter constabunt;" but I say, commendation from so good a mouth doth not hurt a man, though you prevail not. A less weighty sort of particulars may be the pretence of some journeys, which at

her majesty's request your lordship might relinquish: as if you would pretend a journey to see your living and estate towards Wales, or the like: for as for great foreign journeys of employment and service, it standeth not with your gravity to play or stratagem with them. And the lightest sort of particulars, which yet are not to be neglected, are in your habits, apparel, wearings, gestures, and the like.

The impression of greatest prejudice next is that of a military dependence: wherein I cannot sufficiently wonder at your lordship's course, that you say, the wars are your occupation, and go on in that course: whereas, if I might have advised your lordship, you should have left that person at Plymouth more than when in counsel, or in commending fit persons for service for wars, where it had been in season. And here, my lord, I pray mistake me not: I am not to play now the part of a gown-man, that would frame you best to mine own turn. I know what I owe you. I am infinitely glad of this last journey, now it is past; the rather, because you may make so honourable a full point for a time. You have property good enough in that greatness: there is none can, of many years, ascend near you in competition. Besides, the disposing of the places and affairs both, concerning the wars, you increasing in other greatness, will of themselves flow to you; which will preserve that dependence in full measure. It is a thing that of all things I would have you retain, the times considered, and the necessity of the service; for other reason I know none: yet, I say, keep it in substance, but abolish it in shews to the queen; for her majesty loveth peace. Next, she loveth not charge. Thirdly, that kind of dependence maketh a suspected greatness. Therefore, "quod instat agamus." Let that be a sleeping honour a while, and cure the queen's mind in that point. Therefore, again, whereas I heard your lordship designing to yourself the earl marshal's place, or the place of master of the ordnance; I did not in my mind so well like of either, because of their affinity with a martial greatness. But of the places now void, in my judgment and discretion, I would name you to the place of lord privy

seal. For first, it is the third person of the great officers of the crown. Next, it hath a kind of super-intendence over the secretary. It hath also an affinity with the court of wards, in regard of the fees from the liveries; and it is a fine honour, quiet place, and worth a thousand pounds by year: and my lord admiral's father had it, who was a martial man; and it fits a favourite to carry her majesty's image in seal, who beareth it best expressed in heart. But my chief reason is, that which I first alledged, to divert her majesty from this impression of a martial greatness. In concurrence whereof, if your lordship shall not remit any thing of your former diligence at the Star-chamber; if you shall continue such intelligences as are worth the cherishing; if you shall pretend to be as bookish and contemplative as ever you were: all these courses have both their advantages and uses in themselves otherwise, and serve exceeding aptly to this purpose. Whereunto I add one expedient more, stronger than all the rest; and, for my own confident opinion, void of any prejudice or danger of diminution of your greatness; and that is, the bringing in of some martial man to be of the council; dealing directly with her majesty in it, as for her service, and your better assistance; choosing nevertheless some person that may be known, not to come in against you, by any former division. I judge the fittest to be my lord Mountjoy, or my lord Willoughby. And if your lordship see deeplier into it than I do, that you would not have it done in effect; yet in my opinion, you may serve your turn by the pretence of it, and stay it nevertheless.

The third impression is of a popular reputation; which, because it is a thing good in itself, being obtained as your lordship obtaineth it, that is, *bonis artibus;* and besides, well governed, is one of the best flowers of your greatness both present and to come; it would be handled tenderly. The only way is to quench it *verbis* and not *rebus*. And therefore to take all occasions to the queen, to speak against popularity and popular courses vehemently; and to tax it in all others: but, nevertheless, to go on in your honourable commonwealth courses as you do. And therefore, I will not advise you

to cure this, by dealing in monopolies, or any oppressions: only, if in parliament your lordship be forward for treasure in respect of the wars, it becometh your person well; and if her majesty object popularity to you at any time, I would say to her, a parliament will shew that; and so feed her with expectation.

The fourth impression, of the inequality between your estate of means, and your greatness of respects, is not to be neglected. For believe it, my lord, that till her majesty find you careful of your estate, she will not only think you more like to continue chargeable to her, but also have a conceit that you have higher imaginations. The remedies are, first, to profess it in all speeches to her: next, in such suits wherein both honour, gift, and profit may be taken, to communicate freely with her majesty, by way of inducing her to grant, that it will be this benefit to you. Lastly, to be plain with your lordship, for the gentlemen are such as I am beholden to, nothing can make the queen, or the world think so much that you are come to a provident care of your estate, as the altering of some of your officers; who though they be as true to you as one hand to the other; yet *opinio veritate major;* but if, in respect of the bonds they may be entered into for your lordship, you cannot so well dismiss yourself of them, this cannot be done but with time.

For a fifth and last, which is of the advantage of a favourite; as severed from the rest, it cannot hurt; so joined with them, it maketh her majesty more fearful and shadowy, as not knowing her own strength. The only remedy to this, is to give way to some other favourite, as in particular you shall find her majesty inclined; so as the subject hath no ill, nor dangerous aspect towards yourself. For otherwise, whosoever shall tell me, that you may not have singular use of a favourite at your devotion, I will say he understandeth not the queen's affection, nor your lordship's condition. And so I rest.

October 4, 1596.

XXXIII. TO MY LORD OF ESSEX[1].

IT MAY PLEASE YOUR GOOD LORDSHIP,

I PRAY God her majesty's weighing be not like the weight of a balance; "gravia deorsum, levia sursum." But I am as far from being altered in devotion towards her, as I am from distrust that she will be altered in opinion towards me, when she knoweth me better. For myself, I have lost some opinion, some time, and some means; this is my account: but then for opinion, it is a blast that goeth and cometh; for time, it is true, it goeth and cometh not; but yet I have learned that it may be redeemed.

For means, I value that most; and the rather, because I am purposed, not to follow the practice of the law, if her majesty command me in any particular, I shall be ready to do her willing service; and my reason is only, because it drinketh too much time, which I have dedicated to better purposes. But even for that point of estate and means, I partly lean to Thales's opinion, That a philosopher may be rich if he will. Thus your lordship seeth how I comfort myself; to the increase whereof I would fain please myself to believe that to be true which my lord treasurer writeth; which is, that it is more than a philosopher can morally digest. But without any such high conceit, I esteem it like the pulling out of an aking tooth, which, I remember, when I was a child, and had little philosophy, I was glad of when it was done. For your lordship, I do think myself more beholden to you than to any man: and I say, I reckon myself as a common, not popular, but common; and as much as is lawful to be inclosed of a common, so much your lordship shall be sure to have.

Your Lordship's, to obey your honourable commands, more settled than ever.

XXXIV. TO MY LORD OF ESSEX[2].

MY SINGULAR GOOD LORD,

YOUR lordship's so honourable minding my poor fortune the last year, in the very entrance into that great

[1] Rawley's Resuscitatio. [2] Ibid.

action, which is a time of less leisure, and in so liberal an allowance of your care, as to write three letters to stir me up friends in your absence, doth, after a sort, warrant me not to object to myself your present quantity of affairs, whereby to silence myself from petition of the like favour. I brake with your lordship myself at the Tower; and I take it my brother hath since renewed the same motion, touching a fortune I was in thought to attempt, *in genere œconomico*. *In genere politico*, certain cross winds have blown contrary. My suit to your lordship is for your several letters to be left with me dormant, to the gentlewoman, and either of her parents: wherein I do not doubt, but as the beams of your favour have often dissolved the coldness of my fortune; so in this argument your lordship will do the like with your pen. My desire is also, that your lordship would vouchsafe unto me, as out of your care, a general letter to my lord keeper, for his lordship's holding me from you recommended; both in the course of my practice, and in the course of my employment in her majesty's service: wherein, if your lordship shall in any *antithesis* or relation affirm, that his lordship shall have no less fruit of me than of any other whom he may cherish, I hope your lordship shall engage yourself for no impossibility. Lastly and chiefly, I know not whether I shall attain to see your lordship before your noble journey; for ceremonies are things infinitely inferior to my love and to my zeal. This let me, with your allowance, say unto you by pen. It is true, that in my well meaning advices, out of my love to your lordship, and perhaps out of the state of mine own mind, I have sometimes persuaded a course differing; "ac tibi pro tutis insignia facta placebunt:" be it so, yet remember, that the signing of your name is nothing, unless it be to some good patent or charter, whereby your country may be endowed with good and benefit. Which I speak, both to move you to preserve your person for farther merit and service of her majesty and your country, and likewise to refer this action to the same end. And so, in most true and fervent prayers, I commend your lordship, and your work in hand, to the preservation and conduct of the divine Majesty; so much the more watchful, as these actions *do more manifestly* in shew, though alike in truth, *depend upon his divine* providence.

XXXV. TO SIR JOHN STANHOPE[1].

SIR,

YOUR good promises sleep, which it may seem now no time to awake. But that I do not find that any general kalendar of observation of time serveth for the court: and besides, if that be done, which I hope by this time is done; and that other matters shall be done, which we wish may be done, I hope to my poor matter, the one of these great matters may clear the way, and the other give the occasion. And though my lord treasurer be absent, whose health nevertheless will enable him to be sooner at court than is expected; especially if this hard weather, too hard to continue, shall relent; yet we abroad say, his lordship's spirit may be there, though his person be away. Once I take for a good ground, that her majesty's business ought to keep neither vacation nor holy-day, either in the execution, or in the care and preparation of those whom her majesty calleth and useth: and therefore I would think no time barred from remembering that, with such discretion and respect as appertaineth. The conclusion shall be, to put you in mind to maintain that which you have kindly begun, according to the reliance I have upon the sincerity of your affection, and the soundness of your judgment. And so I commend you to God's preservation.

XXXVI. TO MY LORD OF ESSEX[2].

MY SINGULAR GOOD LORD,

THE message it pleased your lordship to send me, was to me delivered doubtfully. Whether your lordship said you would speak with me at the Star-chamber, or with Mr. Philip. If with me, it is needless; for gratitude imposeth upon me satisfaction: if with Mr. Philip, it will be too late; because somewhat must, perchance, be done that day. This doubt not solved, maketh me write again: the rather, because I did liberally, but yet privately, affirm your lordship would write; which if I make not good, it may be a discouragement. Your lordship's letter,

[1] Rawley's Resuscitatio. [2] Ibid.

though it have the subject of honour and justice, yet it shall have the secrecy of a thing done upon affection. I shall ever in a firm duty submit my occasions, though great, to your lordship's respects, though small: and this is my resolution, that when your lordship doth for me, you shall increase my obligation; when you refuse to do for me, you shall increase my merit. So leaving the matter wholly to your lordship's pleasure, I commend your lordship to the preservation of the divine Majesty.

Your Lordship's ever most humbly bounden.

From Gray's-Inn.

XXXVII. TO MY LORD OF ESSEX [1].

MY SINGULAR GOOD LORD,

I MAY perceive, by my lord keeper, that your lordship, as the time served, signified unto him an intention to confer with his lordship at better opportunity; which in regard of your several and weighty occasions, I have thought good to put your lordship in remembrance of; that now at his coming to the court it may be executed: desiring your good lordship, nevertheless, not to conceive out of this my diligence in soliciting this matter, that I am either much in appetite, or much in hope. For as for appetite, the waters of Parnassus are not like the waters of the Spaw, that give a stomach; but rather they quench appetite and desires. And for hope, how can he hope much, that can alledge no other reason than the reason of an evil debtor, who will persuade his creditor to lend him new sums, and to enter farther in with him to make him satisfy the old? and to her majesty no other reason, but the reason of a waterman; I am her first man of those who serve in counsel of law? and so I commit your lordship to God's best preservation.

[1] Rawley's Resuscitatio.

XXXVIII. TO MY LORD OF ESSEX[1].

MOST HONOURABLE, AND MY SINGULAR GOOD LORD,

I CANNOT but importune your lordship, with thanks for your lordship's remembering my name to my lord keeper; which being done in such an article of time, could not but be exceedingly enriched, both in demonstration and effect; which I did well discern by the manner of expressing thereof by his lordship again to me. This accumulating of your lordship's favours upon me hitherto, worketh only this effect; that it raiseth my mind to aspire to be found worthy of them, and likewise to merit and serve you for them. But whether I shall be able to pay my vows or no, I must leave that to God, who hath them *in deposito;* whom also I most instantly beseech to give you fruit of your actions, beyond that your heart can propound: "Nam Deus major est corde:" even to the environing of his benedictions, I recommend your lordship.

XXXIX. TO THE QUEEN: WRITTEN BY FRANCIS BACON FOR THE EARL OF ESSEX.[2]

IT MAY PLEASE YOUR MAJESTY,

IT were great simplicity in me to look for better, than that your majesty should cast away my letter, as you have done me; were it not that it is possible your majesty will think to find somewhat in it, whereupon your displeasure may take hold; and so indignation may obtain that of you which favour could not. Neither might I in reason presume to offer unto your majesty dead lines, myself being excluded as I am; were it not upon this only argument or subject; namely to clear myself in point of duty. Duty, though my state lie buried in the sands, and my favours be cast upon the waters, and my honours be committed to the wind, yet standeth surely built upon the rock, and hath been, and ever shall be, unforced and unattempted. And therefore, since the world, out of error, and your majesty, I fear, out of art, is pleased to put upon me, that I have so much as any election, or will

[1] Rawley's Resuscitatio. [2] Ibid.

in this my absence from attendance, I cannot but leave this protestation with your majesty; that I am, and have been merely a patient, and take myself only to obey and execute your majesty's will. And indeed, madam, I had never thought it possible that your majesty could have so disinterested yourself of me; nor that you had been so perfect in the art of forgetting; nor that after a quintessence of wormwood, your majesty would have taken so large a draught of poppy, as to have passed so many[1] summers without all feeling of my sufferings. But the only comfort I have is this, that I know your majesty taketh delight and contentment in executing this disgrace upon me. And since your majesty can find no other use of me, I am glad yet I can serve for that. Thus making my most humble petition to your majesty, that in justice, howsoever you may by strangeness untie, or by violence cut asunder all other knots, your majesty would not touch me in that which is indissoluble: that is, point of duty; and that your majesty will pardon this my unwarranted presumption of writing, being to such an end: I cease in all humbleness;

Your Majesty's poor, and never so unworthy servant,

ESSEX.

XL. TO SIR ROBERT CECIL[2].

SIR,

I FORBEAR not to put in paper, as much as I thought to have spoken to your honour to-day, if I could have stayed: knowing that if your honour should make other use of it, than is due to good meaning, and that I am persuaded you will; yet to persons of judgment, and that know me otherwise, it will rather appear, as it is, a precise honesty, and this same "suum cuique tribuere," than any hollowness to any. It is my luck still to be akin to such things as I neither like in nature, nor would

[1] This shews this letter was wrote before the earl of Essex had been reconciled to the queen; and our author not having been called or advised with for some year and a half before the earl's going to Ireland, determines the date at the latest to the beginning of 1598.

[2] *Rawley's Resuscitatio.*

willingly meet with in my course; but yet cannot avoid, without shew of base timorousness, or else of unkind or suspicious strangeness . . . . . .

[Some *hiatus* in the copy.]

And I am of one spirit still. I ever liked the Galenists, that deal with good compositions; and not the Paracelsians, that deal with these fine separations: and in music, I ever loved easy airs, that go full all the parts together; and not these strange points of accord and discord. This I write not, I assure your honour, officiously; except it be according to Tully's *Offices;* that is, honestly and morally. For though, I thank God, I account, upon the proceeding, in the queen's service, or not proceeding, both ways; and therefore neither mean to fawn nor retire; yet I naturally desire good opinion with any person which for fortune or spirit is to be regarded: much more with a secretary of the queen's, and a cousin-german, and one with whom I have ever thought myself to have some sympathy of nature, though accidents have not suffered it to appear. Thus not doubting of your honourable interpretation and usage of that I have written, I commend you to the divine preservation.

From Gray's-Inn.

XLI. TO SIR ROBERT CECIL[1].

SIR,

YOUR honour knoweth, my manner is, though it be not the wisest way, yet taking it for the honestest, to do as Alexander did by his physician, in drinking the medicine, and delivering the advertisement of suspicion: so I trust on, and yet do not smother what I hear. I do assure you, Sir, that by a wise friend of mine, and not factious towards your honour, I was told with asseveration, that your honour was bought by Mr. Coventry for two thousand angels: and that you wrought in a contrary spirit to my lord your father. And he said farther, that from your servants, from your lady, from some counsellors that have observed you in my business, he knew you

[1] Rawley's Resuscitatio.

wrought underhand with me: the truth of which tale I do not believe. You know the event will shew, and God will right. But as I reject this report, though the strangeness of my case might make me credulous, so I admit a conceit, that the last messenger my lord and yourself used, dealt ill with your honours; and that word, speculation, which was in the queen's mouth, rebounded from him as a commendation: for I am not ignorant of those little arts. Therefore, I pray, trust not him again in my matter. This was much to write; but I think my fortune will set me at liberty, who am weary of asserviling myself to every man's charity. Thus I, etc.

XLII. TO FOULK GREVIL [1].

SIR,

I UNDERSTAND of your pains to have visited me, for which I thank you. My matter is an endless question. I assure you I had said, "Requiesce, anima mea:" but I now am otherwise put to my psalter; "Nolite confidere." I dare go no farther. Her majesty had, by set speech, more than once assured me of her intention to call me to her service; which I could not understand but of the place I had been named to. And now, whether "invidus homo hoc fecit;" or whether my matter must be an appendix to my lord of Essex suit; or whether her majesty, pretending to prove my ability, meaneth but to take advantage of some errors, which like enough, at one time or other, I may commit; or what it is; but her majesty is not ready to dispatch it. And what though the master of the Rolls, and my lord of Essex, and yourself, and others, think my case without doubt, yet in the mean time I have a hard condition to stand so, that whatsoever service I do to her majesty, it shall be thought but to be "servitium viscatum," lime-twigs and fetches to place myself; and so I shall have envy, not thanks. This is a course to quench all good spirits, and to corrupt every man's nature; which will, I fear, much hurt her majesty's service in the end. I have been like a piece of stuff be-

[1] Rawley's Resuscitatio.

spoken in the shop; and if her majesty will not take me, it may be the selling by parcels will be more gainful. For to be, as I told you, like a child following a bird, which, when he is nearest flieth away, and lighteth a little before, and then the child after it again, and so *in infinitum;* I am weary of it, as also of wearying my good friends: of whom, nevertheless, I hope in one course or other gratefully to deserve. And so, not forgetting your business, I leave to trouble you with this idle letter, being but "justa et moderata querimonia:" for indeed I do confess, *primus amor* will not easily be cast off. And thus again I commend me to you.

XLIII. TO MY LORD OF ESSEX[1].

IT MAY PLEASE YOUR GOOD LORDSHIP,

I AM very sorry her majesty should take my motion to travel in offence. But surely under her majesty's royal correction, it is such an offence as it should be an offence to the sun, when a man, to avoid the scorching heat thereof, flyeth into the shade. And your lordship may easily think, that having now these twenty years, for so long it is, and more, since I went with Sir [2]Amyas Paulet into France, from her majesty's royal hand, made her majesty's service the scope of my life; I shall never find a greater grief than this, *relinquere amorem primum.* But since *principia actionum sunt tantum in nostra potestate,* I hope her majesty of her clemency, yea and justice, will pardon me, and not force me to pine here with melancholy. For though mine heart be good, yet mine eyes will be sore; so as I shall have no pleasure to look abroad: and if I should otherwise be affected, her majesty in her wisdom will but think me an impudent man, that would face out a disgrace. Therefore, as I have ever found you my good lord and true friend, so I pray open the matter so to her majesty, as she may discern the necessity of it without adding hard conceit to her rejection; of which, I am sure, the latter I never deserved. Thus, etc.

[1] Rawley's Resuscitatio. [2] This letter was therefore wrote about the year 1598.

XLIV. TO SIR ROBERT CECIL, AT HIS BEING IN FRANCE[1].

IT MAY PLEASE YOUR HONOURABLE LORDSHIP,

I KNOW you will pardon this my observance in writing to you, empty of matter, but out of the fulness of my love. I am sorry that as your time of absence is prolonged, above that was esteemed at your lordship's setting forth; so now, upon this last advertisement received from you, there groweth an opinion amongst better than the vulgar, that the difficulties also of your negotiation are increased. But because I know the gravity of your nature to be not to hope lightly, it maketh me to despair the less. For you are *natus ad ardua:* and the indisposition of the subject may honour the skill of the workman. Sure I am, judgment and diligence shall not want in your lordship's self: but this was not my purpose; being only to signify unto your lordship my continual and incessant love towards you, thirsting after your return, for many respects. So I commend you ever to the good preservation of the divine Majesty.

At your honour's commandment ever and particularly.

Gray's Inn, 1598.

XLV. TO SIR ROBERT CECIL[2].

MY SINGULAR GOOD LORD,

THE argument of my letters to your lordship rather increaseth than spendeth; it being only the desire I have to salute you; which by your absence is more augmented than abated. For me to write to your lordship occurrences, either of Scotish brags, or Irish plaints, or Spanish ruffling, or Low-Country states, were, besides that it is *alienum quiddam* from mine own humour, to forget to whom I write; save that you, that know true advertisements, sometimes desire and delight to hear common reports, as we that know but common reports desire to hear the truth. But to leave such as write to your fortunes, I write to yourself, in regard of my love to you,

[1] Rawley's Resuscitatio. [2] Ibid.

you being as near to me in heart's blood, as in blood of descent. [1] This day I had the contentment to see your father, upon occasion: and methought his lordship's countenance was not decayed, nor his cough vehement; but his voice was as faint all the while as at first. Thus wishing your lordship a happy and speedy return, I commend you to the divine Majesty.

XLVI. A LETTER OF ADVICE TO THE EARL OF ESSEX, TO TAKE UPON HIM THE CARE OF IRISH CAUSES, WHEN MR. SECRETARY CECIL WAS IN FRANCE. 1598[2].

MY SINGULAR GOOD LORD,

I DO write, because I had no time fully to express my conceit to your lordship touching Irish affairs, considering them as they may concern your lordship; knowing that you will consider them as they may concern the state. That it is one of the aptest particulars that hath come, or can come upon the stage for your lordship to purchase honour upon, I am moved to think for three reasons: Because it is ingenerate, in your house, in respect of my lord your father's noble attempts: because of all the actions of state on foot at this time, the labour resteth most in that particular: and because the world will make a kind of comparison, between those that set it out of frame and those that bring it into frame: which kind of honour giveth the quickest kind of reflection. The transferring this honour upon yourself consisteth in two points: the one, if the principal person employed come in by you and depend upon you; the other, if your lordship declare yourself, and profess to undertake a care of that kingdom. For the persons, it falleth out well that your lordship hath had no interest in the persons of imputation: for neither Sir William Fitz-williams, nor Sir John Norris, was yours. Sir William Russel was

[1] This seems to be written 1598, the time of Lord Burghley's last sickness.

[2] Rawley's Resuscitatio.

conceived yours, but was curbed. Sir Coniers Clifford, as I conceive it, dependeth on you, who is said to do well. And if my lord of Ormond, in this interim, doth accommodate things well, as it is said he doth, I take it he hath always had good understanding with your lordship; so as all things hitherto are not only whole and entire, but of favourable aspect towards your lordship, if hereafter you choose well: wherein in your wisdom you will remember there is a great difference in choice of the persons, as you shall think the affairs to incline to composition or to war. Concerning the care of business, the general and popular conceit hath been, that Irish causes have been much neglected; whereby the very reputation of better care will put life into them. And I am sure her majesty, and my lords of the council, do not think their care dissolved when they have chosen whom to employ: but that they will proceed in a spirit of state, and not leave the main point to discretion. Then if a resolution be taken, a consultation must proceed; and the consultation must be governed upon information to be had from such as know the place, and matters in fact: and in taking of information I have always noted there is a skill and a wisdom. But for a beginning and a key to that which shall follow, it were good your lordship would have some large and serious conference with Sir William Russel, Sir Richard Bingham, the earl of Thomond, and Mr. Wilbraham; to know their relation of the past; their opinion of the present; and their advice for the future. But I am of opinion much more would be had of them, if your lordship shall be pleased severally to confer; not *obiter*, but expressly upon some caveat given them to think of it before; for *bene docet qui prudenter interrogat.*

For the points of apposing them, I am too much a stranger to the business to deduce them; but in a general topic, methinks the pertinent interrogations must be; either of the possibility and means of accord; or of the nature of the war; or of the reformation of abuses; or of the joining of practice with force in the disunion of the rebels. If your lordship doubt to put your sickle into another's harvest, yet consider you have

these advantages; first, time brings it to you in Mr. Secretary's absence: next, *vis unita fortior:* thirdly, the business being mixed with matters of war, it is fittest for you: and lastly, I know your lordship will carry it with that modesty and respect towards aged dignity, and that good correspondence towards my dear kinsman and your good friend now abroad, as no inconvenience may grow that way.

Thus have I played the ignorant statesman; which I do to no body but your lordship: except I do it to the queen sometimes when she trains me on. But your lordship will accept my duty and good meaning, and secure me touching the privateness of that I write.

XLVII. A LETTER OF ADVICE TO THE EARL OF ESSEX, UPON THE FIRST TREATY WITH TYRONE 1598, BEFORE THE EARL WAS NOMINATED FOR THE CHARGE OF IRELAND [1].

MY VERY GOOD LORD,

CONCERNING the advertisements, which your lordship imparted to me, touching the state of Ireland, I hold them to be no more certain to make judgment upon, than a patient's water to a physician: therefore for me upon one water to make a judgment, were indeed like a foolish bold mountebank, or Dr. Birket: yet for willing duty's sake, I will set down to your lordship what opinion sprang in my mind upon that I read.

The letter from the council there, leaning to mistrust and dissuade the treaty, I do not much rely on for three causes. First, because it is always the grace, and the safety from blame, of such a council to err in caution: whereunto add, that it may be, they, or some of them, are not without envy towards the person who is used in treating the accord. Next, because the time of this treaty hath no shew of dissimulation; for that Tyrone is now in no straits: but he is more like a gamester that will give over because he is a winner, than because

[1] Rawley's Resuscitatio.

he hath no more money in his purse. Lastly, I do not see but those articles, whereupon they ground their suspicion, may as well proceed out of fear, as out of falsehood. For the retaining the dependence of the Vraights, the protracting the admission of a sheriff, the refusing to give his son for an hostage, the holding off from present repair to Dublin, the refusing to go presently to accord, without including Odonnell, and other his associates, may very well come of an apprehension in case he should receive hard measure; and not out of treachery: so as if the great person you write of be faithful, and that you have not heard some present intelligence of present succours from Spain, for the expectation whereof Tyrone would win time, I see no deep cause of distrusting this course of treaty, if the main conditions may be good. For her majesty seemeth to me to be a winner thereby three ways: first, her purse shall have some rest: next, it will divert the foreign designs upon the place: thirdly, though her majesty be like for a time to govern but *precario* in the north, and be not, as to a true command, in better state there than before; yet, besides the two respects of ease of charge, and advantage of opinion abroad, before mentioned, she shall have time to use her princely policy in two points to weaken them: the one, by division and the disunion of the heads; the other, by recovering and winning the people from them by justice: which of all other courses is the best.

Now for the Athenian question: you discourse well; "Quid igitur agendum est?" I will shoot my fool's bolt, since you will have it so. The earl of Ormond to be encouraged and comforted. Above all things, the garrisons to be instantly provided for. For opportunity maketh a thief: and if he should mean never so well now, yet such an advantage as the breaking of her majesty's garrisons might tempt a true man.

And because he may as well waver upon his own inconstancy as upon occasion, and wanton variableness is never restrained but by fear, I hold it necessary to be menaced with a strong war: not by words, but by musters and preparations of forces here, in case the ac-

cord proceed not: but none to be sent over, lest it disturb the treaty, and make him look to be over-run as soon as he hath laid away arms. And, but that your lordship is too easy to pass in such cases from dissimulation to verity, I think, if your lordship lent your reputation in this case; that is, to pretend, that if peace go not on, and the queen mean to make, not a defensive war as in times past, but a full re-conquest of those parts of the country, you would accept the charge; I think it would help to settle Tyrone in his seeking accord, and win you a great deal of honour gratis.

And that which most properly concerns this action, if it prove a peace, I think her majesty shall do well to cure the root of the disease; and to profess, by a commission of peaceable men, chiefly of respect and countenance, reformation of abuses, extortions, and injustices there; and to plant a stronger and surer government than heretofore, for the ease and protection of the subject. For the removing of the sword or government in arms from the earl of Ormond, or the sending of the deputy, which will eclipse it, if peace follow, I think it unseasonable.

Lastly, I hold still my opinion, both for your better information, and the fuller declaration of your care, in meddling in this urgent and meriting service, that your lordship have a set conference with the persons I named in my former letter.

XLVIII. A LETTER OF ADVICE TO MY LORD OF ESSEX, IMMEDIATELY BEFORE HIS GOING INTO IRELAND. 1599[1].

MY SINGULAR GOOD LORD,

[2] YOUR late note of my silence in your occasions hath made me set down these few wandring lines, as one that would say somewhat, and can say nothing, touching your lordship's intended charge for Ireland: which my en-

[1] Rawley's Resuscitatio.

[2] Our author observes, "I was not called or advised with some year and a half before his lordship's [namely, the earl of Essex's] going into Ireland," which explains this passage. *Apology*, Vol. III. p. 217.

deavour I know your lordship will accept graciously and well; whether your lordship take it by the handle of the occasion ministred from yourself, or of the affection from which it proceeds.

Your lordship is designed to a service of great merit and great peril; and as the greatness of the peril must needs include a like proportion of merit; so the greatness of the merit may include no small consequence of peril, if it be not temperately governed. For all immoderate success extinguisheth merit, and stirreth up distaste and envy; the assured forerunners of whole charges of peril. But I am at the last point first, some good spirit leading my pen to presage to your lordship success; wherein, it is true, I am not without my oracles and divinations; none of them superstitious, and yet not all natural. For first, looking into the course of God's providence in things now depending, and calling to consideration, how great things God hath done by her majesty and for her; I collect he hath disposed of this great defection in Ireland, thereby to give an urgent occasion to the reduction of that whole kingdom; as upon the rebellion of Desmond there insued the reduction of that whole province.

Next, your lordship goeth against three of the unluckiest vices of all others, disloyalty, ingratitude, and insolency; which three offences, in all examples, have seldom their doom adjourned to the world to come.

Lastly, he that shall have had the honour to know your lordship inwardly, as I have had, shall find *bona exta*, whereby he may better ground a divination of good, than upon the dissection of a sacrifice. But that part I leave; for it is fit for others to be confident upon you, and you to be confident upon the cause: the goodness and justice whereof is such as can hardly be matched in any example; it being no ambitious war against foreigners, but a recovery of subjects; and that after lenity of conditions often tried; and a recovery of them not only to obedience, but to humanity and policy, from more than Indian barbarism.

There is yet another kind of divination, familiar to matters of state; being that which Demosthenes so often

relied upon in his time; when he said, That which for the time past is worst of all, is for the time to come the best: which is, that things go ill, not by accident, but by errors; wherein, if your lordship have been heretofore an awaking censor, yet you must look for no other now, but "Medice, cura teipsum:" and though you shall not be the happy physician that cometh in the declination of the disease: yet you embrace that condition which many noble spirits have accepted for advantage; which is, that you go upon the greater peril of your fortune, and the less of your reputation; and so the honour countervaileth the adventure; of which honour your lordship is in no small possession, when that her majesty, known to be one of the most judicious princes in discerning of spirits that ever governed, hath made choice of you, merely out of her royal judgment; her affection inclining rather to continue your attendance, into whose hand, and trust, to put the command and conduct of so great forces; the gathering the fruit of so great charge; the execution of so many counsels; the redeeming of the defaults of so many former governors; the clearing of the glory of her so many happy years reign, only in this part eclipsed. Nay farther, how far forth the peril of that state is interlaced with the peril of England; and therefore how great the honour is, to keep and defend the approaches or avenues of this kingdom, I hear many discourse; and there is a great difference, whether the tortoise gathereth herself within her shell hurt or unhurt.

And if any man be of opinion, that the nature of the enemy doth extenuate the honour of the service, being but a rebel and a savage, I differ from him; for I see the justest triumphs that the Romans in their greatness did obtain, and that whereof the emperors in their stiles took addition and denomination, were of such an enemy as this; that is people barbarous, and not reduced to civility, magnifying a kind of lawless liberty, and prodigal of life, hardened in body, fortified in woods and bogs, and placing both justice and felicity in the sharpness of their swords; such were the Germans and ancient Britons, and divers others. Upon which kind of people, whether the victory were a conquest, or a reconquest

upon a rebellion or a revolt, it made no difference, that ever I could find, in honour. And therefore it is not the inriching predatory war that hath the preeminence in honour, else should it be more honour to bring in a carrack of rich burden, than one of the twelve Spanish Apostles. But then this nature of people doth yield a higher point of honour, considered in truth, and substance, than any war can yield which should be atchieved against a civil enemy; if the end may be "pacisque imponere morem," to replant and refound the policy of that nation; to which nothing is wanting, but a just and civil government; which design, as it doth descend unto you from your noble father, who lost his life in that action, though he paid tribute to nature, and not to fortune; so I hope your lordship shall be as fatal a captain to this war, as Africanus was to the war of Carthage, after that both his uncle and father had lost their lives in Spain in the same war. Now although it be true, that these things which I write, being but representations unto your lordship of the honour and appearance of the success of the enterprise, be not much to the purpose of any advice; yet it is that which is left to me, being no man of war, and ignorant in the particulars of estate. For a man may, by the eye, set up the white in the midst of the but, though he be no archer. Therefore I will only add this wish, according to the English phrase, which termeth a well-willing advice, a wish; that your lordship in this whole action, looking forward, would set down this position; That merit is worthier than fame; and looking back hither would remember this text, That obedience is better than sacrifice. For designing to fame and glory may make your lordship in the adventure of your person to be valiant as a private soldier, rather than as a general: it may make you in your commandments rather to be gracious than disciplinary: it may make you press action, in respect of the great expectation conceived, rather hastily than seasonably and safely: it may make you seek rather to atchieve the war by force, than by intermixture of practice: it may make you, if God shall send prosperous beginnings, rather seek the fruition of that honour, than the perfection of the

work in hand. And for the other point, that is, the proceeding, like a good protestant, upon express warrant, and not upon good intention, your lordship in your wisdom knoweth that as it is most fit for you to desire convenient liberty of instructions, so it is no less fit for you to observe the due limits of them; remembering that the exceeding of them may not only procure, in case of adverse accident, a dangerous disavow; but also, in case of prosperous success, be subject to interpretation, as if all were not referred to the right end.

Thus have I presumed to write these few lines to your lordship, *in methodo ignorantiæ;* which is, when a man speaketh of any subject, not according to the parts of the matter, but according to the model of his own knowledge; and most humbly desire your lordship that the weakness thereof may be supplied in your lordship by a benign acceptation, as it is in me by my best wishing.

XLIX. TO MY LORD OF ESSEX[1].

MY LORD,

CONCEIVING that your lordship came now up in the person of a good servant to see your sovereign mistress; which kind of compliments are many times "instar magnorum meritorum;" and therefore that it would be hard for me to find you: I have committed to this poor paper the humble salutations of him that is more yours than any man's; and more yours than any man. To these salutations I add a due and joyful gratulation, confessing that your lordship, in your last conference with me before your journey, spake not in vain, God making it good; that you trusted, we should say, "Quis putasset?" Which, as it is found true in a happy sense, so I wish you do not find another "Quis putasset?" in the manner of taking this so great a service. But I hope it is as he said, "Nubecula est, cito transibit:" and that your lordship's wisdom, and obsequious circumspection, and patience, will turn all to the best. So referring all to some time that I may attend you, I commit you to God's best preservation.

[1] Rawley's Resuscitatio.

L. A LETTER TO THE EARL OF ESSEX, IN OFFER OF HIS SERVICE WHEN HE WAS FIRST ENLARGED TO ESSEX-HOUSE[1].

MY LORD,

No man can expound my doings better than your lordship, which makes me need to say the less; only I humbly pray you to believe, that I aspire to the conscience and commendation of "bonus civis," and "bonus vir;" and that though I love some things better, I confess, than I love your lordship, yet I love few persons better; both for gratitude's sake, and for your virtues, which cannot hurt but by accident; of which my good affection it may please your lordship to assure yourself; and of all the true effect and offices I can yield. For as I was ever sorry your lordship should fly with waxen wings, doubting Icarus's fortune, so for the growing up of your own feathers, be they ostriches or other kind, no man shall be more glad. And this is the axle-tree whereon I have turned and shall turn. Which having already signified to you by some near mean, having so fit a messenger for mine own letter, I thought good also to redouble by writing. And so I commend you to God's protection. From Gray's Inn this[2] 9th day of July, 1600.

LI. AN ANSWER OF MY LORD OF ESSEX, TO THE PRECEDING LETTER OF MR. BACON[3].

MR. BACON,

I CAN neither expound nor censure your late actions; being ignorant of all of them save one; and having directed my sight inward only to examine myself. You do pray me to believe, that you only aspire to the conscience and commendation of "bonus civis," and "bonus vir;" and I do faithfully assure you, that while that is your ambition, though your course be active, and mind contemplative, yet we shall both "convenire in eodem tertio;" and "convenire inter nos ipsos." Your profession

[1] Rawley's Resuscitatio. [2] 19 Jul. *Cab.* [3] Rawley's Resuscitatio.

of affection, and offer of good offices, are welcome to me; for answer to them I will say but this; that you have believed I have been kind to you, and you may believe that I cannot be other, either upon humour or mine own election. I am a stranger to all poetical conceits, or else I should say somewhat of your poetical example. But this I must say, that I never flew with other wings than desire to merit, and confidence in my sovereign's favour; and when one of these wings failed me, I would light no where but at my sovereign's feet, though she suffered me to be bruised with my fall. And till her majesty, that knows I was never bird of prey, finds it to agree with her will and her service that my wings should be imped again, I have committed myself to the mue. No power but my God's, and my sovereign's, can alter this resolution of

Your retired friend,

ESSEX.

LII. TO MY LORD OF ESSEX[1].

MY LORD,

I AM glad your lordship hath plunged out of your own business: wherein I must commend your lordship, as Xenophon commended the state of his country, which was this, that having chosen the worst form of government of all others, they governed the best in that kind. "Hoc pace et venia tua," according to my charter. Now, as your lordship is my witness that I would not trouble you whilst your own cause was in hand, though that I know, that the farther from the term, the better the time was to deal for me, so that being concluded, I presume I shall be one of your next cares. And having communicated with my brother of some course, either to perfect the first, or to make me some other way; or rather, by seeming to make me some other way to perfect the first; wherewith he agreed to acquaint your lordship; I am desirous, for mine own better satisfaction, to speak with

[1] Rawley's Resuscitatio.

your lordship myself: which I had rather were somewhere else than at court; and as soon as your lordship will assign me to wait on you. And so in, etc.

LIII. TO MY LORD OF ESSEX [1].

IT MAY PLEASE YOUR LORDSHIP,

THAT your lordship is *in statu quo prius*, no man taketh greater gladness than I do; the rather, because I assure myself that of your eclipses, as this hath been the longest, it shall be the least; as the comical poet saith, "Neque illam tu satis noveras, neque te illa; hocque fit, ubi non vere vivitur [2]." For if I may be so bold as to say what I think, I believe neither your lordship looked to have found her majesty in all points as you have done, neither her majesty *per* case looked to have found your lordship as she hath done. And therefore I hope upon this experience may grow more perfect knowledge, and upon knowledge more true consent; which I, for my part, do infinitely wish, as accounting these accidents to be like the fish Remora; which though it be not great, yet hath it a hidden property to hinder the sailing of the ship. And therefore, as bearing unto your lordship, after her majesty, of all public persons, the second duty, I could not but signify unto you my affectionate gratulation. And so I commend your good lordship to the best preservation of the divine Majesty.

From Gray's-Inn.

LIV. TO SIR ROBERT CECIL [3].

IT MAY PLEASE YOUR GOOD HONOUR,

I AM apt enough to contemn *mendacia famæ*, yet it is with this distinction, as fame walks among inferiors, and not as it hath entrance into some ears. And yet nevertheless, in that kind also I intend to avoid a suspicious silence, but not to make any base apology. It is

[1] Rawley's Resuscitatio. [2] Terent. Heaut. l. 1. [3] Rawley's Resuscitatio.

blown about the town, that I should give opinion touching my lord of Essex cause; first, that it was a *præmunire;* and now last, that it reached to high treason; and this opinion should be given in opposition to the opinion of the lord Chief Justice, and of Mr. Attorney-General. Sir, I thank God, whatsoever opinion my head serveth me to deliver to her majesty, being asked, my heart serveth me to maintain, the same honest duty directing me and assisting me. But the utter untruth of this report God and the queen can witness; and the improbability of it, every man that hath wit, more or less, can conceive. The root of this I discern to be not so much a light and humourous envy at my accesses to her majesty, which of her majesty's grace being begun in my first years, I would be sorry she should estrange in my last years; for so I account them, reckoning by health not by age, as a deep malice to your honourable self; upon whom, by me, through nearness, they think to make some aspersion. But as I know no remedy against libels and lyes; so I hope it shall make no manner of disseverance of your honourable good conceits and affection towards me; which is the thing I confess to fear. For as for any violence to be offered to me, wherewith my friends tell me, to no small terror, that I am threatened, I thank God I have the privy coat of a good conscience; and have a good while since put off any fearful care of life, or the accidents of life. So desiring to be preserved in your good opinion, I remain.

This last letter seems to be wrote 1600, in the interval between the return of the earl of Essex from Ireland, and his hearing before the lord Chancellor, etc.

LV. TO MY LORD HENRY HOWARD [1].

MY LORD,

THERE be very few besides yourself, to whom I would perform this respect. For I contemn *mendacia famæ*, as it walks among inferiors; though I neglect it not, as it may have entrance into some ears. For your lord-

[1] Rawley's Resuscitatio.

ship's love, rooted upon good opinion, I esteem it highly, because I have tasted the fruits of it; and we both have tasted of the best waters, in my account, to knit minds together. There is shaped a tale in London's forge, that beateth apace at this time, that I should deliver opinion to the queen in my lord of Essex cause: first, that it was a *præmunire;* and now last, that it was high treason; and this opinion to be in opposition and encounter of the lord Chief Justice's opinion, and the Attorney-General's. My lord, I thank God, my wit serveth me not to deliver any opinion to the queen, which my stomach serveth me not to maintain; one and the same conscience of duty guiding me and fortifying me. But the untruth of this fable God and my sovereign can witness, and there I leave it; knowing no more remedy against lyes, than others do against libels. The root, no question of it, is partly some light-headed envy at my accesses to her majesty; which being begun and continued since my childhood, as long as her majesty shall think me worthy of them, I scorn those that shall think the contrary: and another reason is the aspersion of this tale, and the envy thereof, upon some greater man, in regard of my nearness. And therefore, my lord, I pray you answer for me, to any person that you think worthy your own reply, and my defence. For my lord of Essex, I am not servile to him, having regard to my superior's duty. I have been much bound unto him. And on the other side, I have spent more time and more thoughts about his well doing, than ever I did about mine own. I pray God, you his friends, amongst you, be in the right. "Nulla remedia tam faciunt dolorem, quam quæ sunt salutaria." For my part, I have deserved better, than to have my name objected to envy, or my life to a ruffian's violence. But I have the privy coat of a good conscience. I am sure these courses and bruits hurt my lord more than all. So having written to your lordship, I desire exceedingly to be preferred in your good opinion and love: and so leave you to God's goodness.

3 December 1599.

LVI. TWO LETTERS, FRAMED, THE ONE AS FROM MR. ANTHONY BACON, TO THE EARL OF ESSEX; THE OTHER, AS THE EARL'S ANSWER THEREUNTO[1]:

Both written by Mr. Francis Bacon, at the instance of Mr. Anthony Bacon his brother, and to be shewed to the queen, upon some fit occasion; as a mean to work her majesty to receive the earl again to favour and attendance at court. They were devised whilst my lord remained prisoner in his own house. See Sir Francis Bacon's *Apology* to the earl of Devonshire.

MY SINGULAR GOOD LORD,

THIS standing at a stay in your lordship's fortunes doth make me, in my love towards your lordship, jealous lest you do somewhat, or omit somewhat, that amounteth to a new error. For I suppose that of all former matters there is a full expiation; wherein, for any thing that your lordship doth, I for my part, who am remote, cannot cast nor devise wherein any error should be, except in one point, which I dare not censure nor dissuade; which is, that as the prophet saith, in this affliction you look up "ad manum percutientem," and so make your peace with God. And yet I have heard it noted, that my lord of Leicester, who could never get to be taken for a saint, nevertheless in the queen's disfavour waxed seeming religious: which may be thought by some, and used by others, as a case resembling yours, if men do not see, or will not see the difference between your two dispositions. But to be plain with your lordship, my fear rather is, because I hear how some of your good and wise friends, not unpractised in the court, and supposing themselves not to be unseen in that deep and unscrutable centre of the court, which is her majesty's mind, do not only toll the bell, but even ring out peals, as if your fortune were dead and buried, and as if there were no possibility of recovering her majesty's favour; and as if the best of your condition were to live a private and retired life, out of want, out of peril, and out of manifest disgrace; and so in this persuasion of theirs include a persuasion to your lordship to frame and accommodate your actions and mind to that end: I fear, I say, that this untimely despair may in time bring forth a just despair, by causing your lordship to slacken

[1] Rawley's Resuscitatio.

and break off your wise, loyal, and seasonable endeavours and industry for redintegration to her majesty's favour; in comparison whereof all other circumstances are but as *atomi*, or rather as a *vacuum* without any substance at all. Against this opinion it may please your lordship to consider of these reasons which I have collected, and to make judgment of them, neither out of the melancholy of your present fortune, nor out of the infusion of that which cometh to you by others relation, which is subject to much tincture, but *ex rebus ipsis*, out of the nature of the persons and actions themselves, as the trustiest and least deceiving grounds of opinion. For though I am so unfortunate as to be a stranger to her majesty's eye, and much more to her nature and manners; yet by that which is apparent, I do manifestly discern, that she hath that character of the divine nature and goodness, "quos amavit, amavit usque ad finem:" and where she hath a creature, she doth not deface nor defeat it; insomuch as, if I observe rightly in those persons whom heretofore she hath honoured with her special favour, she hath covered and remitted not only defects and ingratitudes in affection, but errors in state and service. Secondly, if I can spell and scholar-like put together the parts of her majesty's proceedings now towards your lordship, I cannot but make this construction, that her majesty in her royal intention never purposed to call your lordship's doings into public question; but only to have used a cloud without a shower, in censuring them by some temporary restraint only of liberty, and debarring from her presence. For, first, the handling the cause in the Star-chamber, you not being called, was inforced by the violence of libelling and rumours, wherein the queen thought to have satisfied the world, and yet spared your lordship's appearance; and after, when that means which was intended for the quenching of malicious bruits, turned to kindle them, because it was said your lordship was condemned unheard, and your lordship's sister wrote that piquant letter, then her majesty saw plainly, that these winds of rumours could not be commanded down without a handling of the cause, by making you a party, and admitting your defence. And to this purpose I do assure your

lordship, that my brother Francis Bacon, who is too wise, I think, to be abused, and too honest to abuse: though he be more reserved in all particulars than is needful, yet in generality he hath ever constantly and with asseveration affirmed to me, that both those days, that of the Star-chamber, and that at my lord Keeper's, were won from the queen merely upon necessity and point of honour, against her own inclination. Thirdly, in the last proceeding, I note three points, which are directly significant, that her majesty did expressly forbear any point which was [1] irreparable, or might make your lordship in any degree uncapable of the return of her favour; or might fix any character indelible of disgrace upon you: for she spared the public place of the Star-chamber, which spared ignominy; she limited the charge precisely not to touch upon any pretence of disloyalty; and no record remaineth to memory of the charge or sentence. Fourthly, the very distinction which was made in the sentence of sequestration from the places of service in state, and leaving to your lordship the place of master of the horse, doth, to my understanding, *indicativè*, point at this; that her majesty meant to use your lordship's attendance in court, while the exercises of the other places stood suspended. Fifthly, I have heard, and your lordship knoweth better than I, that now, since you were in your own custody, her majesty in *verbo regio*, and by his mouth, to whom she committeth her royal grants and decrees, hath assured your lordship she will forbid, and not suffer, your ruin. Sixthly, as I have heard her majesty to be a prince of that magnanimity, that she will spare the service of the ablest subject or peer, when she shall be thought to stand in need of it: so she is of that policy, as she will not lose the service of a meaner than your lordship, where it shall depend merely upon her choice and will. Seventhly, I hold it for a principle, that generally those diseases are hardest to cure whereof the cause is obscure; and those easiest, whereof the cause is manifest; whereupon I conclude, that since it hath been your error in your courses towards her majesty, which hath prejudiced you, that your reforming and conformity will restore you;

[1] Irrecuperable, *Cab.*

so as you may be *faber fortunæ propriæ*. Lastly, considering your lordship is removed from dealing in causes of state, and left only to a place of attendance; methinks the ambition of any man, who can endure no partners in state matters, may be so quenched, as they should not laboriously oppose themselves to your being in court: so as upon the whole matter, I can find neither in her majesty's person, nor in your own person, nor in any third person, neither in former precedents, nor in your own case, any cause of dry and peremptory despair. Neither do I speak this so, but that, if her majesty, out of her resolution, should design you to a private life, you should be as willing, upon her appointment, to go into the wilderness, as into the land of promise. Only I wish your lordship will not preoccupate despair, but put trust, next to God, in her majesty's grace, and not to be wanting to yourself. I know your lordship may justly interpret, that this which I persuade, may have some reference to my particular, because I may truly say, *Te stante*, not *virebo*, for I am withered in myself, but *manebo*, or *tenebo*; I shall in some sort be, or hold out. But though your lordship's years and health may expect return of grace and fortune; yet your eclipse for a time is an *ultimum vale* to my fortune; and were it not that I desire and hope to see my brother established, by her majesty's favour, as I think him well worthy, for that he hath done and suffered, it were time I did take that course, from which I dissuade your lordship. But now in the mean time, I cannot choose but perform these honest duties to you, to whom I have been so deeply bounden.

LVII. A LETTER FRAMED AS FROM THE EARL IN ANSWER TO THE FORMER LETTER[1].

MR. BACON,

I THANK you for your kind and careful letter. It persuades me to that which I wish strongly, and hope for weakly; that is possibility of restitution to her majesty's favour: but your arguments that would cherish hope

[1] Rawley's Resuscitatio.

turn to despair. You say the queen never meant to call me to public censure, which sheweth her goodness; but you see I passed under it, which sheweth others power. I believe most stedfastly her majesty never intended to bring my cause to a sentence: and I believe as verily, that since that sentence she meant to restore me to attend upon her person. But they that could use occasions, which was not in me to let, and amplify occasions, and practise upon occasions, to represent to her majesty a necessity to bring me to the one, can and will do the like to stop me from the other. You say, my errors were my prejudice, and therefore I can mend myself: it is true; but they that know that I can mend myself, and that if ever I recover the queen, that I will never lose her again; will never suffer me to obtain interest in her favour. And you say the Queen never forsook utterly where she inwardly favoured: but I know not whether the hour-glass of time hath altered her mind; but sure I am the false glass of others informations must alter her, when I want access to plead my own cause. I know I ought doubly to be her majesty's: both *jure creationis*, for I am her creature; and *jure redemptionis*, for I know she hath saved me from overthrow. But for her first love, and for her last protection, and all her great benefits, I can but pray for her majesty; and my endeavours are now to make my prayers for her majesty and myself better heard. For, thanks be to God, they that can make her majesty believe I counterfeit with her, cannot make God believe that I counterfeit with him: and they which can let me from coming near unto her, cannot let me from drawing near unto him, as I hope I do daily. For your brother, I hold him an honest gentleman, and wish him all good, much rather for your sake. Yourself I know hath suffered more for me and with me than any friend I have: yet I cannot but lament freely, as you see I do; and advise you not to do that which I do, which is to despair. You know letters what hurt they have done me, and therefore make sure of this: and yet I could not, as having no other pledge of my love, but communicate freely with you, for the ease of my heart and your

LVIII. A LETTER TO MR. SECRETARY CECIL, AFTER THE [1] DEFEATING OF THE SPANISH FORCES IN IRELAND; INCITING HIM TO EMBRACE THE CARE OF REDUCING THAT KINGDOM TO CIVILITY, WITH SOME REASONS INCLOSED [2].

IT MAY PLEASE YOUR HONOUR,

As one that wisheth you all increase of honour; and as one that cannot leave to love the state, what interest soever I have, or may come to have in it; and as one that now this dead vacation time hath some leisure *ad aliud agendum;* I will presume to propound unto you that which though you cannot but see, yet I know not whether you apprehend and esteem it in so high a degree; that is, for the best action of importation to your self, of sound honour and merit to her majesty and this crown, without ventosity and popularity, that the riches of any occasion, or the tide of any opportunity, can possibly minister or offer: and that is the causes of Ireland, if they be taken by the right handle. For if the wound be not ripped up again, and come to a [3] recrudency by new foreign succours, I think that no physician will go on much with letting of blood, *in declinatione morbi*; but will intend to purge and corroborate. To which purpose I send you mine opinion, without labour of words, in the inclosed; and sure I am, that if you shall enter into the matter according to the vivacity of your own spirit, nothing can make unto you a more gainful return. For you shall make the queen's felicity complete, which now, as it is, is incomparable; and for yourself, you shall show yourself as good a patriot as you are thought a politic, and make the world perceive you have not less generous ends, than dextrous delivery of yourself towards your ends; and that you have as well true arts and grounds of government, as the facility and felicity of practice and negotiation; and that you are as well seen in the periods and tides of estates, as in your own circle and way: than the which, I suppose, nothing can be a better addition and accumulation of honour unto you. This, I hope, I may in privateness write, either as a kinsman, that may

[1] Therefore this was wrote 1603. [2] Rawley's Resuscitatio. [3] festered sense. *Cab.*

be bold: or as a scholar, that hath liberty of discourse, without committing any absurdity. But if it seem any error in me thus to intromit myself, I pray your honour to believe, I ever loved her majesty and the state, and now love yourself; and there is never any vehement love without some absurdity, as the Spaniard well says: "desuario con la calentura." So desiring your honour's pardon, I ever continue.

CONSIDERATIONS TOUCHING THE QUEEN'S SERVICE IN IRELAND[1].

THE reduction of that country, as well to civility and justice, as to obedience and peace, which things, as affairs now stand, I hold to be inseparable, consisteth in four points:

1. The extinguishing of the relicks of the war.
2. The recovery of the hearts of the people.
3. The removing of the root and occasions of new troubles.
4. Plantations and buildings.

For the first; concerning the places and times, and particularities of farther prosecution, in fact I leave it to the opinion of men of war; only the difficulty is, to distinguish and discern the propositions, which shall be according to the ends of the state here, that is, final and summary towards the extirpation of the troubles, from those, which though they pretend public ends, yet may refer indeed to the more private and compendious ends of the council there: or of the particular governors or captains. But still, as I touched in my letter, I do think much letting blood, *in declinatione morbi*, is against method of cure: and that it will but induce necessity, and exasperate despair; and percase discover the hollowness of that which is done already, which now blazeth to the best shew. For Iaglia's[2] and proscriptions of two or three of the principal rebels, they are no doubt, *jure gentium*, lawful: in Italy usually practised upon the

[1] Rawley's Resuscitatio. [2] Al. Taglacs.

banditti; best in season when a side goeth down: and may do good in two kinds; the one, if they take effect: the other, in the distrust which may follow amongst the rebels themselves. But of all other points, to my understanding, the most effectual is, the well expressing or impressing the design of this state, upon that miserable and desolate kingdom; containing the same between these two lists or boundaries; the one, that the queen seeketh not an extirpation of that people, but a reduction; and that, now she hath chastised them by her royal power and arms, according to the necessity of the occasion, her majesty taketh no pleasure in effusion of blood, or displanting of ancient generations. The other, that her majesty's princely care is principally and intentionally bent upon the action of Ireland; and that she seeketh not so much the ease of charge, as the royal performance of the office of protection, and reclaim of those her subjects: and in a word, that the case is altered so far as may stand with the honour of the time past: which it is easy to reconcile, as in my last note I shewed. And again, I do repeat, that if her majesty's design be *ex professo* to reduce wild and barbarous people to civility and justice, as well as to reduce rebels to obedience, it makes weakness turn Christianity, and conditions graces; and so hath a fineness in turning utility upon point of honour, which is agreeable to the humour of these times. And besides, if her majesty shall suddenly abate the lists, of her forces, and shall do nothing to countervail it in point of reputation, of a politic proceeding, I doubt things may too soon fall back into the state they were in. Next to this; adding reputation to the cause, by imprinting an opinion of her majesty's care and intention upon this action, is the taking away of reputation from the contrary side, by cutting off the opinion and expectation of foreign succours; to which purpose this enterprise of Algiers, if it hold according to the advertisement, and if it be not wrapped up in the period of this summer, seemeth to be an opportunity *cælitus demissa*. And to the same purpose nothing can be more fit than a treaty, or a shadow of a treaty of a peace with Spain, which methinks should be in our power to fasten at least *rumore tenus*, to the deluding of as wise people as the Irish. Lastly,

for this point; that which the ancients called "potestas facta redeundi ad sanitatem;" and which is but a mockery when the enemy is strong, or proud, but effectual in his declination; that is, a liberal proclamation of grace and pardon to such as shall submit, and come in within a time prefixed, and of some farther reward to such as shall bring others in; that one's sword may be sharpened by another's, is a matter of good experience, and now, I think, will come in time. And percase, though I wish the exclusions of such a pardon exceeding few, yet it will not be safe to continue some of them in their strength, but to translate them and their generations into England; and give them recompence and satisfaction here, for their possessions there, as the king of Spain did, by divers families of Portugal. To the effecting of all the points aforesaid, and likewise those which fall within the divisions following, nothing can be in priority, either of time or matter, better than the sending of some commission of countenance, *ad res inspiciendas et componendas;* for it will be a very significant demonstration of her majesty's care of that kingdom; a credence to any that shall come in and submit; a bridle to any that shall have their fortunes there, and shall apply their propositions to private ends; and an evidence that her majesty, after arms laid down, speedily pursueth a politic course, without neglect or respiration: and it hath been the wisdom of the best examples of government.

Towards the recovery of the hearts of the people, there be but three things, *in natura rerum.*

1. Religion.
2. Justice and protection.
3. Obligation and reward.

For religion, to speak first of piety, and then of policy, all divines do agree, that if consciences be to be enforced at all, wherein yet they differ, two things must precede their inforcement; the one, means of instruction; the other, time of operation; neither of which they have yet had. Besides, till they be more like reasonable men than they yet are, their society were rather scandalous to the true religion than otherwise; as pearls cast before swine: for till they be cleansed from their blood, incontinency, and theft, which are now not the lapses of par-

ticular persons, but the very laws of the nation, they are incompatible with religion reformed. For policy, there is no doubt but to wrestle with them now, is directly opposite to their reclaiming, and cannot but continue their alienation of mind from this government. Besides, one of the principal pretences, whereby the heads of the rebellion have prevailed both with the people, and with the foreigner, hath been the defence of the catholic religion: and it is this that likewise hath made the foreigner reciprocally more plausible with the rebel. Therefore a toleration of religion, for a time, not definite, except it be in some principal towns and precincts, after the manner of some French edicts, seemeth to me to be a matter warrantable by religion, and in policy of absolute necessity. And the hesitation in this point, I think, hath been a great casting back of the affairs there. Neither if any English papist or recusant shall, for liberty of his conscience, transfer his person, family, and fortunes thither; do I hold it a matter of danger, but expedient to draw on undertaking, and to further population. Neither if Rome will cozen itself, by conceiving it may be some degree to the like toleration in England, do I hold it a matter of any moment; but rather a good mean to take off the fierceness and eagerness of the humour of Rome, and to stay further excommunications or interdictions for Ireland. But there would go hand in hand with this, some course of advancing religion indeed, where the people is capable thereof; as the sending over some good preachers, especially of that sort which are vehement and zealous persuaders, and not scholastical, to be resident in principal towns; endowing them with some stipends out of her majesty's revenues, as her majesty hath most religiously and graciously done in Lancashire: and the recontinuing and replenishing the college begun at Dublin, the placing of good men to be bishops in the sees there, and the taking care of the versions of bibles and catechisms, and other books of instruction, into the Irish language; and the like religious courses, both for the honour of God, and for the avoiding of scandal and insatisfaction here, by the show of a toleration of religion in some parts there.

For justice: the barbarism and desolation of the country considered, it is not possible they should find any sweetness at all of justice; if it shall be, which hath been the error of times past, formal, and fetched far off from the state; because it will require running up and down for process; and give occasion for polling and exactions by fees, and many other delays and charges. And therefore there must be an interim in which the justice must be only summary: the rather, because it is fit and safe for a time the country do participate of martial government; and therefore, I could wish in every principal town or place of habitation, there were a captain or governor; and a judge, such as recorders and learned stewards are here in corporations, who may have a prerogative commission to hear and determine *secundum sanam discretionem;* and as near as may be to the laws and customs of England; and that by bill or plaint, without original writ; reserving from their sentence matter of free-hold and inheritance, to be determined by a superior judge itinerant; and both sentences, as well of the bailywick judge, as itinerant, to be reversed, if cause be, before the council of the province to be established there with fit instructions.

For obligation and reward; it is true, no doubt, which was anciently said, that a state is contained in two words, *præmium* and *pœna;* and I am persuaded, if a penny in the pound which hath been spent in *pœna*, for this kind of war is but *pœna*, a chastisement of rebels, without fruit or emolument to this state, had been spent in *præmio*, that is, in rewarding, things had never grown to this extremity. But to speak forwards. The keeping of the principal Irish persons in terms of contentment, and without cause of particular complaint; and generally the carrying of an even course between the English and the Irish; whether it be in competition, or whether it be in controversy, as if they were one nation, without that same partial course which hath been held by the governors and counsellors there, that some have favoured the Irish, and some contrary, is one of the best medicines of that state. And as for other points of contentment, as the countenancing of their nobility as well

in this court as there; the imparting of knighthood; the care of education of their children, and the like points of comfort and allurement; they are things which fall into every man's consideration.

For the extirpating of the seeds of troubles, I suppose the main roots are but three. The first, the ambition and absoluteness of the chief of the families and septs. The second, the licentious idleness of their kernes and soldiers, that lie upon the country, by cesses and such like oppressions. And the third, the barbarous laws, customs, their brehon laws, habits of apparel, their poets or heralds that enchant them in savage manners, and sundry other such dregs of barbarism and rebellion, which by a number of politic statutes of Ireland, meet to be put in execution, are already forbidden; unto which such additions may be made as the present time requireth. But the deducing of this branch requireth a more particular notice of the state and manners there, than falls within my compass.

For plantations and buildings, I do find it strange that in the last plot for the population of Munster, there were limitations how much in demesne, and how much in farm, and how much in tenancy; again, how many buildings should be erected, how many Irish in mixture should be admitted, and other things foreseen almost to curiosity: but no restraint that they might not build *sparsim* at their pleasure; nor any condition that they should make places fortified and defensible: which omission was a strange neglect and secureness, to my understanding. So as for this last point of plantations and buildings, there be two considerations which I hold most material; the one for quickening, and the other for assuring. The first is, that choice be made of such persons for the government of towns and places, and such undertakers be procured, as be men gracious and well beloved, and are like to be well followed. Wherein for Munster, it may be, because it is not *res integra;* but that the former undertakers stand interessed, there will be some difficulty; but surely, in mine opinion, either by agreeing with them, or by over-ruling them with a parliament in Ireland, which in this course of a politic proceeding, in-

finite occasions will require speedily to be held, it will be fit to supply fit qualified persons for undertakers. The other, that it be not left, as heretofore, to the pleasure of the undertakers and adventurers, where and how to build and plant; but that they do it according to a prescript or formulary. For first, the places, both maritime and inland, which are fittest for colonies or garrisons, as well for doubt of the foreigner, as for keeping the country in bridle, will be found, surveyed, and resolved upon: and then that the patentees be tied to build in those places only, and to fortify as shall be thought convenient. And lastly, it followeth of course, in countries of new populations, to invite and provoke inhabitants by ample liberties and charters.

LIX. TO MY LORD OF CANTERBURY [DR. WHITGIFT[1].]

IT MAY PLEASE YOUR GRACE,

I HAVE considered the objections, perused the statutes, and framed the alterations, which I send, still keeping myself within the privity of a letter, and form of a narration; not entering into a form of argument or disputation: for, in my poor conceit, it is somewhat against the majesty of princes actions, to make too curious and striving apologies, but rather to set them forth plainly, and so as there may appear an harmony and constancy in them, so that one part upholdeth another. And so I wish your grace all prosperity. From my poor lodging, this, etc.

Your Grace's most dutiful pupil and servant.

LX. TO SIR THOMAS LUCY[2].

SIR,

THERE was no news better welcome to me this long time, than that of the good success of my kinsman; wherein if he be happy, he cannot be happy alone, it consisting

[1] Rawley's Resuscitatio. [2] Ibid.

of two parts. And I render you no less kind thanks for your aid and favour towards him, than if it had been for myself; assuring you that this bond of alliance shall on my part tie me to give all the tribute to your good fortune upon all occasions, that my poor strength can yield. I send you, so required, an abstract of the lands of inheritance; and one lease of great value, which my kinsman bringeth; with a note of the tenures, values, contents, and state, truly and perfectly drawn; whereby you may perceive the land is good land, and well countenanced by scope of acres, woods, and royalties; though the total of the rents be set down as it now goeth, without improvement: in which respect it may somewhat differ from your first note. Out of this, what he will assure in jointure, I leave it to his own kindness; for I love not to measure affection. To conclude, I doubt not your daughter might have married to a better living, but never to a better life; having chosen a gentleman bred to all honesty, virtue, and worth, with an estate convenient. And if my brother or myself were either thrivers, or fortunate in the queen's service, I would hope there should be left as great an house of the Cokes in this gentleman, as in your good friend Mr. Attorney-General. But sure I am, if Scriptures fail not, it will have as much of God's blessing; and sufficiency is ever the best feast, etc.

LXI. A LETTER OF RECOMMENDATION OF HIS SERVICE TO THE EARL OF NORTHUMBERLAND, A FEW DAYS BEFORE QUEEN ELIZABETH'S DEATH[1].

IT MAY PLEASE YOUR GOOD LORDSHIP,

As the time of sowing a seed is known, but the time of coming up and disclosing is casual, or according to the season; so I am witness to myself, that there hath been covered in my mind a long time, a seed of affection and zeal towards your lordship, sown by the estimation of your virtues, and your particular honours and favours to my brother deceased, and myself; which seed still spring-

[1] Rawley's Resuscitatio.

ing, now bursteth forth into this profession. And to be plain with your lordship, it is very true, and no winds or noises of civil matters can blow this out of my head or heart, that your great capacity and love towards studies and contemplations of an higher and worthier nature, than popular, a nature rare in the world, and in a person of your lordship's quality almost singular, is to me a great and chief motive to draw my affection and admiration towards you. And therefore, good my lord, if I may be of any use to your lordship, by my head, tongue, or pen, means, or friends, I humbly pray you to hold me your own; and herewithal, not to do so much disadvantage to my good mind, nor partly to your own worth, as to conceive that this commendation of my humble service proceedeth out of any straits of my occasions, but merely out of an election, and indeed the fulness of my heart. And so wishing your lordship all prosperity, I continue, etc.

March 160$\frac{3}{4}$.

LETTERS,

IN THE

REIGN OF KING JAMES.

LXII. TO MR. [1] FOWLYS [2].

SIR,

THE occasion awaketh in me the remembrance of the constant and mutual good offices, which passed between

[1] Upon the death of queen Elizabeth Mr. Fowlys was sent out of Scotland with letters to divers of the lords of the privy council; soon after whose arrival the lord Treasurer, the lord High Admiral, and Sir Robert Cecil, principal secretary of state, returned a large letter of thanks, and of advice to the king concerning the then posture of affairs. He was afterwards created a baronet by the name of Sir David Fowlys of Ingleby, in the north riding of Yorkshire, where he had seated himself, and where his posterity now remain. *Stephens.*

[2] Rawley's Resuscitatio.

my good brother and yourself; whereunto, as you know, I was not altogether a stranger; though the time and design, as between brethren, made me more reserved. But well do I bear in mind the great opinion which my brother, whose judgment I much reverence, would often express to me, of your extraordinary sufficiency, dexterity, and temper, which he had found in you, in the business and service of the king our sovereign lord[1]. This latter bred in me an election, as the former gave an inducement for me, to address myself to you; and to make this signification of my desire towards a mutual entertainment of good affection and correspondence between us: hoping that both some good effect may result of it towards the king's service; and that for our particulars, though occasion give you the precedence of furthering my being known, by good note, unto the king; so no long time will intercede before I on my part shall have some means given to requite your favours, and to verify your commendation. And so with my loving commendations, good Mr. Fowlys, I leave you to God's goodness.

From Gray's-Inn, 27 March, 1603.

LXIII. TO MR. FOWLYS[2].

MR. FOWLYS,

I DID write unto you yesterday by Mr. Lake, who was dispatched hence from their lordships, a letter of reviver of those sparks of former acquaintance between us in my brother's time; and now, upon the same confidence, finding so fit a messenger, I would not fail to salute you; hoping it will fall out so happily, as that you shall be one of the king's servants which his majesty will first employ here with us; where I hope to have some means not to be barren in friendship towards you.

[1] Mr. Anthony Bacon, the elder and only brother to our author, of the whole blood, reported to have been equal to him in height of wit, though inferior in the improvements of learning and knowledge. Sir Henry Wotton observes, that he was a gentleman of impotent feet, but of a nimble head, through whose hands ran all the intelligences with Scotland. *Stephens.*

[2] Rawley's Resuscitatio.

We all thirst after the king's coming, accounting all this but as the dawning of the day before the rising of the sun, till we have his presence. And though now his majesty must be "Janus bifrons," to have a face to Scotland, as well as to England, yet "quod nunc instat agendum:" the expectation is here that he will come in state, and not in strength[1]. So for this time I commend you to God's goodness.

28 March, 1603.

LXIV. TO SIR[2] THOMAS CHALONER, THEN IN SCOTLAND, BEFORE HIS MAJESTY'S ENTRANCE[3].

SIR,

FOR our money matters, I am assured you received no insatisfaction: for you know my mind, and you know my means; which now the openness of the time, caused by this blessed consent, and peace, will increase; and so our agreement, according to your time, be observed. For the present, according to the Roman adage, that "one cluster of grapes ripeneth best besides another," I know you hold me not unworthy, whose mutual friendship you should cherish; and I, for my part, conceive good hope, that you are likely to become an acceptable servant to the king our master: not so much for any way made heretofore, which, in my judgment, will make no great difference, as for the stuff and sufficiency which I know to be in you; and whereof, I know, his majesty

[1] My lord Bacon, in his history of K. Henry VII. observes the like conduct in that wise prince, in order to quiet the fears of the people, and disperse the conceit of his coming in by conquest.

[2] Sir Thomas Chaloner was son to Sir Thomas Chaloner, who had behaved himself with great valour, under the command of the emperor Charles V. and the duke of Somerset, and with equal prudence, in the courts of the emperor and king of Spain; whither he was sent ambassador in the beginning of the reign of queen Elizabeth. The son was, like his father, a gentleman of great parts and abilities, to whose care King James committed the tuition of prince Henry. 17 Aug. 1603. *Rymer*, xvi. 545. Sir Thomas had, a few years before, made the first discovery of alum mines in this nation, at or near Gisborough in Yorkshire; where some of his name and family still continue. He survived his royal pupil just three years, dying in November, 1615. *Stephens.*

[3] Rawley's Resuscitatio.

may reap great service. And therefore, my general request is, that according to that industrious vivacity which you use towards your friends, you will further his majesty's good conceit and inclination towards me, to whom words cannot make me known, neither mine own, nor others; but time will, to no disadvantage of any that shall fore-run his majesty's experience, by your testimony and commendation. And though occasion give you the precedence of doing me this special good office; yet I hope no long time will intercede before I shall have some means to requite your favour and acquit your report. More particularly, having thought good to make oblation of my most humble service to his majesty by a few lines, I desire your loving care and help, by yourself, or such means as I refer to your discretion, to deliver and present the same to his majesty's hands: of which letter I send you a copy, that you may know what you carry; and may take of Mr. Matthew the letter itself, if you be pleased to undertake the delivery. Lastly, I do commend to yourself, and such your courtesies as occasion may require, this gentleman Mr. Matthew, eldest son to my lord bishop of Duresme, and my very good friend, assuring you that any courtesy you shall use towards him, you shall use to a very worthy young gentleman, and one, I know, whose acquaintance you will much esteem. And so I ever continue. 1603.

LXV. AN OFFER OF SERVICE TO THE KING UPON HIS FIRST COMING IN[1].

IT MAY PLEASE YOUR MOST EXCELLENT MAJESTY,

IT is observed by some, upon a place in the Canticles, "Ego sum flos campi, et lilium convallium," that, *a dispari*, it is not said, "Ego sum flos horti, et lilium montium;" because the majesty of that person is not inclosed for a few, nor appropriated to the great. And yet, notwithstanding this royal virtue of access, which both nature and judgment have planted in your ma-

[1] Rawley's Resuscitatio.

jesty's mind, as the portal of all the rest, could not of itself, my imperfections considered, have animated me to make oblation of myself immediately to your majesty, had it not been joined with an habit of the like liberty which I enjoyed with my late dear sovereign mistress; a princess happy in all things else, but most happy in such a successor. And yet farther, and more nearly, I was not a little encouraged, not only upon a supposal that unto your majesty's sacred ear, open to the air of all virtues, there might perhaps have come some [1] small breath of the good memory of my father, so long a principal counsellor in your kingdom [2]; but also a more particular knowledge of the infinite devotion and incessant endeavours, beyond the strength of his body, and the nature of the times, which appeared in my good brother, Mr. Anthony Bacon, towards your majesty's service; and were on your majesty's part, through your singular benignity, by many most gracious and lively significations and favours accepted and acknowledged, beyond the merit of any thing he could effect: which endeavours and duties, for the most part, were common to myself with him, though by design, as between brethren, dissembled. And therefore, most high and mighty King, my most dear and dread sovereign lord, since now the corner-stone is laid of the mightiest monarchy in Europe; and that God above, who hath ever a hand in bridling the floods and motions both of the seas and peoples hearts, hath by the miraculous and universal consent, the more strange, because it proceedeth from such diversity of causes, in your coming in, given a sign and token of great happiness in the continuance of your reign; I think there is no subject of your majesty's, which loveth this island, and is not hollow or unworthy, whose heart is not set on fire, not only to bring you peace-offerings, to make you propitious; but to sacrifice himself a burnt-offering or holocaust to your majesty's service: amongst which number no man's fire shall be more pure and fervent than mine; but how far

[1] Notice. Sir Tobie Matthew's Collection of Letters, p. 17.

[2] Sir N. Bacon, lord keeper of the great seal from the first to the 21 Elizabeth.

forth it shall blaze out, that resteth in your majesty's [1] employment. So thirsting after the happiness of kissing your royal hand, I continue ever. 1603.

LXVI. A LETEER COMMENDING HIS LOVE TO THE LORD OF [2] KINLOSSE, UPON HIS MAJESTY'S ENTRANCE [3].

MY LORD,

THE present occasion awakeneth in me a remembrance of the constant amity and mutual good offices, which passed between my brother deceased and your lordship, whereunto I was less strange, than in respect of the time I had reason to pretend; and withal, I call to mind the great opinion which my brother, who seldom failed in judgment of a person, would often express to me of your lordship's great wisdom and soundness, both in head and heart, towards the service and affairs of our sovereign lord the king.

The one of those hath bred in me an election, and the other a confidence to address my good will and sincere affection to your good lordship; not doubting, in regard that my course of life hath wrought me not to be altogether unseen in the matters of the kingdom, that I may be of some use, both in point of service to the king, and in your lordship's particular.

And on the other side, I will not omit humbly to desire your lordship's favour, in furthering a good conceit and impression of my most humble duty and true zeal towards the king; to whose majesty words cannot make me known, neither mine own nor others: but time will, to no disadvantage of any, that shall forerun his majesty's experience, by their humanity and commendations. And so I commend your good lordship to God's providence and protection.

From Gray's-Inn, etc. 1603.

[1] Pleasure to ordain. *Sir Tobie Matthew.*

[2] Edward Bruce Mil. Dom. Kinlosse, Magis. Rotulorum curiæ cancellariæ, 19 Jul. 1603. *Rymer*, xvi. p. 491.

[3] Scrip. in sacra, p. 56. Edit. 1654.

LXVII. A LETTER TO DOCTOR MORISON, A [1] SCOTISH PHYSICIAN, UPON HIS MAJESTY'S COMING IN.

MR. DR. MORISON,

I HAVE thought good by this my letter to renew this my ancient acquaintance which hath passed between us, signifying my good mind to you to perform to you any good office, for your particular, and my expectation and a firm assurance of the like on your part towards me: wherein I confess you may have the start of me, because occasion hath given you the precedency in investing you with opportunity to use my name well, and by your loving testimony to further a good opinion of me in his majesty, and the court.

But I hope my experience of matters here will, with the light of his majesty's favour, enable me speedily both to requite your kindness, and to acquit and make good your testimony and report. So not doubting to see you here with his majesty; considering that it belongeth to your art to feel pulses (and I assure you, Galen doth not set down greater variety of pulses, than do vent here in mens hearts) I wish you all prosperity, and remain

Yours, &c.

From my chamber at Gray-Inn, etc. 1603.

LXVIII. TO MR. DAVIES [2], GONE TO MEET THE KING [3].

MR. DAVIES,

THOUGH you went on the sudden, yet you could not go before you had spoken with yourself, to the purpose

[1] He had held a correspondence with Mr. Anthony Bacon, and was employed to find intelligence from Scotland to the earl of Essex. See "Memoirs of the Reign of Queen Elizabeth from the year 1581, till her death." Vol. I. p. 79, 109, 116.

[2] Mr. Davies having made his way unto the Knowledge of King James, by a poem he dedicated unto the late queen, intitled, "Nosce teipsum," was very favourably received by the king; and not long after made his attorney-general in Ireland, and sergeant at law: and in the next reign, was nominated to be chief justice of the king's-bench in England upon the displacing of Sir Randal Crew; but died suddenly on 27 December, 1626. He was very conversant with the wits of his time; some of his writings declare his excellency in that kind, as others do his abilities in his own profession. *Stephens.*

[3] Rawley's Resuscitatio.

which I will now write: and therefore I know it shall be altogether needless, save that I meant to shew you, that I was not asleep. Briefly, I commend myself to your love and the well using my name; as well in repressing and answering for me, if there be any biting or nibbling at it in that place, as in imprinting a good conceit and opinion of me, chiefly in the king, of whose favour I make myself comfortable assurance, as otherwise in that court: and not only so, but generally to perform to me all the good offices which the vivacity of your wit can suggest to your mind, to be performed to one, with whose affection you have so great sympathy, and in whose fortune you have so great interest. So desiring you to be good to concealed poets, I continue

Your assured friend,

Gray's-Inn this 28th of March, 1603.

FR. BACON.

LXIX. TO MR. ROBERT KEMPE, UPON THE DEATH OF QUEEN ELIZABETH[1].

MR. KEMPE,

THIS alteration is so great, as you might justly conceive some coldness of my affection towards you, if you should hear nothing from me, I living in this place. It is in vain to tell you with what wonderful still and calm this wheel is turned round; which, whether it be a remnant of her felicity that is gone, or a fruit of his reputation that is coming, I will not determine. For I cannot but divide myself between her memory and his name: yet we account it but a fair morn, before sun-rising, before his majesty's presence: though for my part I see not whence any weather should arise. The papists are contained with fear enough, and hope too much. The French is thought to turn his practice upon procuring some disturbance in Scotland, where crowns may do wonders: but this day is so welcome to the nation, and the time so short, as I do not fear the effect. My lord of Southampton expecteth release by the next dispatch, and is already much visited and much well-wished. There

[1] Rawley's Resuscitatio.

is continual posting by men of good quality towards the king: the rather, I think, because this spring-time, it is but a kind of sport. It is hoped, that as the state here hath performed the part of good attorneys to deliver the king quiet possession of his kingdoms, so the king will redeliver them quiet possession of their places; rather filling places void, than removing men placed. So etc. 1603.

LXX. TO THE EARL OF NORTHUMBERLAND [1], RECOMMENDING A PROCLAMATION TO BE MADE BY THE KING AT HIS ENTRANCE [2].

IT MAY PLEASE YOUR LORDSHIP,

I DO hold it a thing formal and necessary for the king to forerun his coming, be it never so speedy, with some gracious declaration for the cherishing, entertaining, and preparing of men's affections [3]. For which purpose I have conceived a draught, it being a thing familiar in my mistress her times to have my pen used in public writings of satisfaction. The use of this may be in two

[1] Henry Piercy, the ninth earl of Northumberland of that name, had not only great learning himself, but was also patron of other learned men, especially mathematicians. And though no man espoused the title of king James to the English throne with a greater zeal than himself, declaring he would remove all impediments by his sword; yet the king, perhaps fearing that one who thought he could confer crowns, might attempt to resume them, caused this great man to be so effectually prosecuted in the star-chamber in the year 1606, upon the supposition of his being privy to the powder-plot, or at least of concealing his cousin Mr. Thomas Piercy, one of the conspirators therein: that he was fined 30,000*l.* and condemned to perpetual imprisonment. But the lord Hay, afterwards created viscount Doncaster and earl of Carlisle, marrying in 1617 his youngest daughter the lady Lucy Piercy, a lady of the most celebrated wit and beauty of any in her times; his release from the Tower was obtained about the year 1621. Though it is said, the earl was with great difficulty prevailed to accept of this favour, because procured by a man he disdained to own to be so near a relation, as that of a son. *Stephens.*

[2] Rawley's Resuscitatio.

[3] Instead of this declaration, Sir Francis Bacon tells us, that "at this time there came forth in print the king's book containing matter of instruction to the prince his son, touching the office of a king; which falling into every man's hand, filled the whole realm as with a good perfume or incense before the king's coming in; and far exceeded any formal or curious edict or declaration, which could have been devised of that nature, wherewith princes in the beginning of their reigns do use to grace themselves, or at least express themselves gracious in the eyes of their people." Vol. V. p. 200.

sorts: first, properly, if your lordship think it convenient to shew the King any such draught, because the veins and pulses of this state cannot but be best known here; which if your lordship should do, then I would desire you to withdraw my name, and only signify, that you gave some heads of direction of such a matter to one, of whose style and pen you had some opinion. The other collateral; that though your lordship make no other use of it, yet it is a kind of portraiture of that which I think worthy to be advised by your lordship to the king; and perhaps more compendious and significant, than if I had set them down in articles. I would have attended your lordship but for some little physic I took. To-morrow morning I will wait on you. So I ever, etc.

1603.

LXXI. TO THE EARL OF SOUTHAMPTON[1], UPON THE KING'S COMING IN[2].

IT MAY PLEASE YOUR LORDSHIP,

I WOULD have been very glad to have presented my humble service to your lordship by my attendance, if I could have foreseen that it should not have been unpleasing unto you. And therefore, because I would be sure to commit no error, I chose to write; assuring your lordship, how little soever it may seem credible to you at first, yet it is as true as a thing that God knoweth; that this great change hath wrought in me no other change towards your lordship than this, that I may safely be that to you now, which I was truly before. And so craving no other pardon, than for troubling you with my letter, I do not now begin to be, but continue to be

Your Lordship's humble and much devoted

1603. FR. BACON.

[1] Henry Wriothesley earl of Southampton having been involved in the guilt of the unfortunate earl of Essex, was condemned for the same crimes; but that earl, who seemed careless of his own life, interceded for the life of his friend, as did Southampton's own modest behaviour at his trial: from which time he suffered imprisonment in the Tower till the 10th of April, 1603. He was afterwards restored in blood, made knight of the garter, and one of his majesty's privy council. *Stephens.*

[2] Rawley's Resuscitatio.

XXII. TO MR. TOBIE MATTHEW[1] SIGNIFYING THE WISE PROCEEDINGS OF KING JAMES AT HIS FIRST ENTRANCE INTO ENGLAND[2].

SIR,

I WAS heartily glad to hear that you have passed so great a part of your journey[3] in so good health. My aim was right in my address of letters to those persons in the court of Scotland, who are likeliest to be used for the affairs of England; but the pace they held was too swift, for the men were come away before my letters could reach them. With the first I have renewed acquaintance, and it was like a bill of revivor, by way of cross-suits; for he was as ready to have begun with me. The second did this day arrive, and took acquaintance with me instantly in the council-chamber, and was willing to entertain me with farther demonstrations of confidence, than I was willing at that time to admit. But I have had no serious speech with him, nor do I yet know whether any of the doubles of my letter have been delivered

[1] Mr. Matthew was son to Dr. Toby Matthew, bishop of Durham, afterwards archbishop of York; an eminent divine, considered either in the schools, the pulpit, or the episcopal chair. He was born in Oxford in 1578, whilst his father was dean of Christ's-Church; but was, to the great grief of his parents, a few years after the King's accession, reconciled to the church of Rome, through the means, as is said, of Parsons the Jesuit: and became so industrious an agent for her, that his refusal of the oath of allegiance established by act of parliament, together with some imprudent carriage, gave the King such offence, that he was in a manner exiled the kingdom in the year 1607. He continued roving from one country and prince's court to another till 1617, when applying himself with much earnestness to the earl of Buckingham, he obtained a permission to come into England, which he did in July that year, presenting himself in the first place to Sir Francis Bacon then lord keeper of the great seal. But the King being afterwards displeased with him, did notwithstanding his moving and pressing letters, command him again to depart in October, 1618. Yet in 1622, he was recalled to assist in the business of the Spanish match then in agitation, and knighted the year following. He is represented as a man of very good parts and literature, but of an active and restless temper. What opinion Sir Francis Bacon had of him when young, appears before in his letter to Sir Thomas Chaloner; and what esteem he had for Sir Francis may be seen in the preface to his collection of letters: at the beginning of which is printed his character of the lady Carlisle, whom I have mentioned No. LXX. He died at Gaunt in Flanders in 1655. *Stephens.*

[2] Sir Tobie Matthew's Collection of Letters, p. 18.

[3] Viz. Into Scotland to meet the king. See No. LXIV. p. 272.

to the king. It may perhaps have proved your luck to be the first.

Things are here in good quiet. The king acts excellently well; for he puts in clauses of reservation to every proviso. He saith, he would be sorry to have just cause to remove any. He saith, he will displace none who hath served the queen and state sincerely, etc. The truth is, here be two extremes; some few would have no change, no not reformation: some many would have much change even with perturbation. God, I hope, will direct this wise king to hold a mean between reputation enough and no terrors.[1] In my particular I have many comforts and assurances; but in my own opinion the chief is, that the canvassing world is gone, and the deserving world is come. And withal I find myself as one awaked out of sleep; which I have not been this long time, nor could, I think, have been now without such a great noise as this, which yet is in *aura leni*. I have written this to you in haste, my end being no more than to write, and thereby to make you know that I will ever continue the same, and still be sure to wish you as heartily well as to myself. 1603.

LXXIII. TO THE EARL OF NORTHUMBERLAND[1].

IT MAY PLEASE YOUR GOOD LORDSHIP,

I WOULD not have lost this journey, and yet I have not that I went for; for I have had no private conference to purpose with the king; no more hath almost any other English: for the speech his majesty admitteth with

[1] Upon this occasion it may not be amiss to remember what cardiual d'Ossat writ from Rome to M. de Villeroy upon the accession of King James to the crown of England, part of which I wish no prince would ever forget.

" C'est l'ordinaire des hommes de regarder plus au soleil orient qu' à l'occident, & des Princes bien avisez qui sont appellez à un nouvel estat, d'y entrer doucement, sans irriter ni mécontenter personne ni dedans ni dehors. Si ce Prince continüe guidé par la vertu & accompagné de bonheur, comme jusques icy, il sera très-grand, & fera bon l'avoir pour amy; & nous, qui depuis quelques années en ça n'avions eu l'œil quasi qu'en un lieu, faudra que l'ayons cy-après en deux; comme faudra bien aussi que fassent encore d'autres. Et en fin de compte, *Celui de tous qui regnera le mieux & le plus justement à l'honneur & gloire de Dieu, & au soulagement, profit & felicité de ses sujets; sera le plus asseuré, le plus fort, & le plus aimé, loué & beni de Dieu & des hommes; en quoy consiste la vraye & perdurable grandeur & puissance des Roys, & l' asseurance de leur posterité.*" Stephens.

[2] Rawley's Resuscitatio.

some noblemen, is rather matter of grace, than matter of business. With the attorney he spake, urged by the treasurer of Scotland, but no more than needs must. After I had received his majesty's first welcome, and was promised private access; yet not knowing what matter of service your lordship's letter carried, for I saw it not, and well knowing that primeness in advertisement is much; I chose rather to deliver it to Sir Thomas Erskine, than to cool it in my own hands, upon expectation of access. Your lordship shall find a prince the farthest from vain glory that may be; and rather like a prince of the ancient form, than of the latter time. His speech is swift and cursory, and in the full dialect of his country; and in speech of business, short; in speech of discourse, large. He affecteth popularity by gracing such as he hath heard to be popular, and not by any fashions of his own: he is thought somewhat general in his favours; and his virtue of access is rather, because he is much abroad, and in press, than that he giveth easy audience. He hasteneth to a mixture of both kingdoms and occasions, faster perhaps than policy will well bear. I told your lordship once before, that, methought, his majesty rather asked counsel of the time past, than of the time to come: but it is yet early to ground any settled opinion. For the particulars, I refer to conference, having in these generals gone farther in so tender an argument than I would have done, were not the bearer hereof so assured. So I continue, etc. 1603.

LXXIV. A LETTER TO MR. MURRAY[1], OF THE KING'S BED-CHAMBER.

MR. MURRAY,

IT is very true, that his majesty, most graciously a my humble request, knighted the last Sunday my bro ther-in-law, a towardly young gentleman;[2] for whicl favour I think myself more bound to his majesty, tha

[1] John Murray, Esq.

[2] To this Sir John Constable, Sir Francis Bacon dedicated the second edition o his "Essays;" published at London in 1613, in octavo.

for the benefit of ten knights: and to tell you truly, my meaning was not, that the suit of this other gentleman, Mr. Temple[1] should have been moved in my name. For I should have been unwilling to have moved his majesty for more than one at once, though many times in his majesty's courts of justice, if we move once for our friends, we are allowed to move again for our fee.

But indeed my purpose was, that you might have been pleased to have moved it as for myself.

Nevertheless, since it is so far gone, and that the gentleman's friends are in some expectation of success, I leave it to your kind regard what is farther to be done, as willing to give satisfaction to those which have put me in trust, and loth on the other side to press above good manners. And so with my loving commendation I remain

1603. Yours, etc.

LXXV. TO MR. PIERCE, SECRETARY TO THE LORD DEPUTY OF IRELAND[2].

MR. PIERCE,

I AM glad to hear of you, as I do; and for my part, you shall find me ready to take any occasion to further your credit and preferment. And I dare assure you, though I am no undertaker, to prepare your way with my lord of Salisbury, for any good fortune which may befal you. You teach me to complain of business, whereby I write the more briefly; and yet I am so unjust, as that which I alledge for mine own excuse, I cannot admit for yours: for I must, by expecting, exact your letters, with this fruit of your sufficiency, as to understand how things pass in that kingdom. And therefore having begun, I pray you continue. This is not

[1] Probably Mr. William Temple, who had been educated in King's College, Cambridge, then master of the free-school at Lincoln, next successively secretary to Sir Philip Sidney, secretary Davison, and the earl of Essex, made provost of Dublin College in 1609, and at last knighted, and appointed one of the masters in chancery in Ireland. He died about 1626, at the age of 72.

[2] Rawley's Resuscitatio.

merely curiosity, for I have ever, I know not by what instinct, wished well to that impolished part of this crown. And so, with my very loving commendations, I remain.

LXXVI. TO THE EARL OF NORTHAMPTON [1], DESIRING HIM TO PRESENT THE ADVANCEMENT OF LEARNING TO THE KING [2].

IT MAY PLEASE YOUR GOOD LORDSHIP,

HAVING finished a work touching the advancement of learning, and dedicated the same to his sacred majesty, whom I dare avouch, if the records of time err not, to be the learnedest king that hath reigned; I was desirous, in a kind of congruity, to present it by the learnedest counsellor in this kingdom; to the end that so good an argument, lighting upon so bad an author, might receive some reputation by the hands into which, and by which, it shall be delivered. And therefore, I make it my humble suit to your lordship, to present this mean but well-meant writing to his majesty, and with it my humble and zealous duty; and also my like humble request of pardon, if I have too often taken his name in vain, not only in the dedication, but in the voucher of the authority of his speeches and writings. And so I remain. 1605.

[1] The earl of Northampton was the second son, and bore the name of that accomplished gentleman, Henry Howard, earl of Surry, son and heir to the duke of Norfolk, who suffered under the severity of king Henry VIII's latter days; the one by death, the other by imprisonment. During great part of the reign of queen Elizabeth, while his family lay under the cloud, he apply'd himself to learning; and to what a degree he arrived, appears by a book he published in 1583, against the poison of supposed prophecies, dedicated to Sir Francis Walsingham; and from the eulogy that was generally given him, that he was the most learned among the noble, and the most noble among the learned. But in the king's reign his advancement was speedy both in honours and riches. The services he performed as a commissioner in making the peace between England and Spain, gave birth to a saying in those times, but with what truth I know not, that his house in the Strand, now called Northumberland house, was built by Spanish gold. He died in 1614, leaving behind him the memory of some real good works, and of some supposed ill ones, being suspected of concealing his religion for many years, and of being privy to the untimely death of Sir Thomas Overbury.—*Stephens.*

[2] Rawley's Resuscitatio.

LXXVII. TO SIR THOMAS BODLEY [1], UPON SENDING HIS BOOK OF ADVANCEMENT OF LEARNING [2].

SIR,

I THINK no man may more truly say with the psalm, "Multum incola fuit anima mea," than myself; for, I do confess, since I was of any understanding, my mind hath in effect been absent from that I have done; and in absence are many errors, which I do willingly acknowledge; and, amongst the rest, this great one that led the rest; that knowing myself by inward calling to be fitter to hold a book, than to play a part, I have led my life in civil causes; for which I was not very fit by nature, and more unfit by the pre-occupation of my mind. Therefore calling myself home, I have now for a time enjoyed myself, whereof likewise I desire to make the world partaker. My labours, if I may so term that which was the comfort of my other labours, I have dedicated to the king; desirous, if there be any good in them, it may be as the fat of a sacrifice, incensed to his honour: and the second copy I have sent unto you, not only in good affection, but in a kind of congruity, in regard of your great and rare desert of learning. For books are the shrines where the saint is, or is believed to be: and you having built an ark to save learning from deluge, deserve propriety in any new instrument or engine, whereby learning should be improved or advanced. 1605.

LXXVIII. TO THE EARL OF SALISBURY [3], UPON SENDING THE "ADVANCEMENT OF LEARNING [2]."

IT MAY PLEASE YOUR GOOD LORDSHIP,

I PRESENT your lordship with a work of my vacant time, which if it had been more, the work had been better. It appertaineth to your lordship, besides my par-

[1] Sir Thomas Bodley restored the public library at Oxford, begun in the times of king Henry VI. by Humphry, duke of Gloucester; or was rather the founder of a new one, which now bears his name, and which hath placed him among the chief benefactors to that university, and to the commonwealth of learning. He died in the entrance of the year 1613. *Stephens.*

[2] Rawley's Resuscitatio.

[3] Sir Robert Cecil, created by king James lord Cecil, viscount Cranburne, and earl Salisbury, was not *only son to one* of the greatest statesmen of his age, the lord Bur-

ticular respects, in some propriety, in regard you are a great governor in a province of learning.

And, that which is more, you have added to your place affection towards learning; and to your affection judgment: of which the last I could be content were, for the time, less, that you might the less exquisitely censure that which I offer unto you. But sure I am, the argument is good, if it had lighted upon a good author. But I shall content myself to awake better spirits, like a bell-ringer, which is first up to call others to church. So with my humble desire of your lordship's good acceptation, I remain. 1605.

LXXIX. TO THE LORD TREASURER BUCKHURST[1], ON THE SAME SUBJECT[2].

IT MAY PLEASE YOUR GOOD LORDSHIP,

I HAVE finished a work touching the advancement or setting forward of learning, which I have dedicated to his majesty, the most learned of a sovereign, or temporal

leigh, but succeeded him in his places and abilities, and was one of the great supports of the queen's declining years. Yet the ill offices he was thought to perform towards the noble and popular earl of Essex, together with his conduct in some particulars in her successor's reign, abated the lustre of his character, which otherwise from his parts and prudence would have appeared very conspicuous. After he had been long secretary of state, some years lord treasurer and chancellor of the university of Cambridge, he died in May 1612, at Marlborough, in his return from the Bath; as by a diary of his sickness and the account given by Sir Robert Naunton, one of his retinue, appears; which I should not mention, but that his enemies in their libels, which flew freely about, have suggested that he died on the Downs; which, if true, could be esteemed at most but his misfortune. *Stephens.*

[1] I shall draw this noble lord's character from Sir Robert Naunton's observations of the favourites of queen Elizabeth; and much in his own words: My lord of Buckhurst was of the noble house of the Sackvilles, and of the queen's consanguinity. He was a very fine gentleman of person and endowments both of art and nature, but without measure magnificent, till on the turn of his humour, and the allay that his years, and good counsels of the queen, etc. had wrought upon those immoderate courses of his youth, and that height of spirit inherent to his house; she began to assist him in the reparation of that vast patrimony he had much wasted. After the honour she had given him of lord Buckhurst, and knight of the garter, she procured him to be chosen chancellor of the university of Oxford, upon the death of Sir Christopher Hatton, and constituted him lord treasurer on the death of the lord Burleigh, which office he enjoyed till April, 1608, dying then suddenly at the council table; the king having some years before created him earl of Dorset. He is

[2] Rawley's Resuscitatio.

prince that time hath known: and upon reason not unlike I humbly present one of the books to your lordship: not only as a chancellor of an university, but as one that was excellently bred in all learning; which I have ever noted to shine in all your speeches and behaviours: and therefore your lordship will yield a gracious aspect to your first love, and take pleasure in the adorning of that wherewith yourself are so much adorned. And so humbly desiring your favourable acceptation thereof, with signification of humble duty, I remain. 1605.

LXXX. TO THE LORD CHANCELLOR, SIR T. EGERTON, LORD ELLESMERE, ON THE SAME SUBJECT [1].

MAY IT PLEASE YOUR GOOD LORDSHIP,

I HUMBLY present your lordship with a work, wherein as you have much commandment over the author, so your lordship hath great interest in the argument: for to speak without flattery, few have like use of learning, or like judgment in learning, as I have observed in your lordship. And again, your lordship hath been a great planter of learning, not only in those places in the Church, which have been in your own gift, but also in your commendatory vote, no man hath more constantly held "Detur digniori:" and therefore, both your lordship is beholding to learning, and learning beholding to you: which maketh me presume with good assurance that your lordship will accept well of these my labours; the rather because your lordship in private speech hath often begun to me in expressing your admiration of his majesty's learning, to whom I have dedicated this work; and whose virtue and perfection in that kind did chiefly move me to a work of this nature; and so with signification of my most humble duty and affection to your lordship, I remain. 1605.

also much commended for his happy vein in poetry, to which he was addicted in his youth; and for his elocution, and the excellencies of his pen; faculties that ran in the blood, as Sir Robert Naunton observes in his son Robert, and his grandsons Richard and Edward, successive earls of Dorset; and the last age had the satisfaction to see continued in the person of the right honourable Charles earl of Dorset and Middlesex. *Stephens.*

[1] Rawley's Resuscitatio.

LXXXI. TO MR. MATTHEW[1].

SIR,

I PERCEIVE you have some time when you can be content to think of your friends; from whom since you have borrowed yourself, you do well, not paying the principal, to send the interest at six months day. The relation which here I send you inclosed, carries the truth of that which is public: and though my little leisure might have required a briefer, yet the matter would have endured and asked a larger.

I have now at last taught that child to go, at the swadling whereof you were. My work touching the proficiency and advancement of learning I have put into two books; whereof the former, which you saw, I can't but account as a page to the latter. I have now published them both; whereof I thought it a small adventure to send you a copy, who have more right to it than any man, except bishop Andrews, who was my inquisitor.

The death of the late great judge concerned not me, because the other was not removed. I write this in answer to your good wishes; which I return not as flowers[2] of Florence, but as you mean them; whom I conceive place can't alter, no more than time shall me, except it be for the better. 1605.

LXXXII. TO DR. PLAYFERE[3], DESIRING HIM TO TRANSLATE THE ADVANCEMENT IN LATIN[4].

MR. DR. PLAYFERE,

A GREAT desire will take a small occasion to hope and put in trial that which is desired. It pleased you a good while since to express unto me the good liking which you conceived of my book of the advancement of learning; and that more significantly, as it seemed to me, than out of courtesy or civil respect. Myself, as I then

[1] Sir Tobie Matthew's "Collection of Letters," p. 11.

[2] Mr. Matthew wrote an elegy on the Duke of Florence's felicity.

[3] Thomas Playfere, D. D. a native of Kent, educated in St. John's college in Cambridge, and appointed Margaret professor of divinity in that university about 1595, in the room of Dr. Peter Baro. He died there about January or February, 1608.

[4] Rawley's Resuscitatio.

took contentment in your approbation thereof, so I should esteem and acknowledge not only my contentment increased, but my labours advanced, if I might obtain your help in that nature which I desire: wherein, before I set down in plain terms my request unto you, I will open myself, what it was which I chiefly sought and propounded to myself in that work; that you may perceive that which I now desire, to be pursuant thereupon. If I do not much err, for any judgment that a man maketh of his own doings, had need be spoken with a "Si nunquam fallat imago[1]," I have this opinion, that if I had sought mine own commendation, it had been a much fitter course for me to have done as gardeners used to do, by taking their seed and slips, and rearing them first into plants, and so uttering them in pots, when they are in flower, and in their best state. But for as much as my end was merit of the state of learning, to my power, and not glory; and because my purpose was rather to excite other mens wits, than to magnify mine own, I was desirous to prevent the uncertainness of mine own life, and times, by uttering rather seeds than plants: nay and farther, as the proverb is, by sowing with the basket rather than with the hand: wherefore, since I have only taken upon me to ring a bell to call other wits together, which is the meanest office, it cannot but be consonant to my desire, to have that bell heard as far as can be. And since they are but sparks which can work but upon matter prepared, I have the more reason to wish that those sparks may fly abroad, that they may the better find and light upon those minds and spirits which are apt to be kindled. And therefore the privateness of the language considered, wherein it is written, excluding so many readers; as, on the other side, the obscurity of the argument in many parts of it excludeth many others; I must account it a second birth of that work, if it might be translated into Latin, without manifest loss of the sense and matter. For this purpose I could not represent to myself any man into whose hands I do more earnestly desire that work

[1] Vir. Ecl. ii. 27.

should fall than yourself; for by that I have heard and read, I know no man a greater master in commanding words to serve matter. Nevertheless, I am not ignorant of the worth of your labours, whether such as your place and profession imposeth, or such as your own virtue may, upon your voluntary election, take in hand. But I can lay before you no other persuasions than either the work itself may affect you with; or the honour of his majesty, to whom it is dedicated; or your particular inclination to myself; who as I never took so much comfort in any labours of mine own, so I shall never acknowledge myself more obliged in any thing to the labours of another, than in that which shall assist it. Which your labour if I can by my place, profession, means, friends, travel, work, deed, requite unto you, I shall esteem myself so straitly bound thereunto, as I shall be ever most ready both to take and seek occasion of thankfulness. So leaving it nevertheless, *salva amicitia*, as reason is, to your good liking, I remain.

LXXXIII. TO THE LORD CHANCELLOR, TOUCHING THE HISTORY OF BRITAIN[1].

IT MAY PLEASE YOUR GOOD LORDSHIP,

SOME late act of his majesty, referred to some former speech which I have heard from your lordship, bred in me a great desire, and the strength of desire a boldness to make an humble proposition to your lordship, such as in me can be no better than a wish[2]; but if your lordship should apprehend it, it may take some good and worthy effect. The act I speak of, is the order given by his majesty for the erection of a tomb or monument for our late sovereign queen Elizabeth[3]: wherein I may note much, but only this at this time, that as her majesty did always right to his majesty's hopes, so his highness doth in all things right to her memory; a very just and princely retribution. But from this occasion, by a very easy as-

[1] Rawley's Resuscitatio. [2] Thought. *Matthew's Collection of Letters.*

[3] The monument here spoken of was erected in King Henry VII's chapel at Westminster, in the year 1606.

cent, I passed farther, being put in mind, by this representative of her person, of the more true and more vive representation, which is of her life and government: for as statues and pictures are dumb histories, so histories are speaking pictures; wherein if my affection be not too great, or my reading too small, I am of this opinion, that if Plutarch were alive to write lives by parallels, it would trouble him both for virtue and fortune, to find for her a parallel amongst women. And though she was of the passive sex, yet her government was so active, as, in my simple opinion, it made more impression upon the several states of Europe, than it received from thence. But I confess unto your lordship I could not stay here, but went a little farther into the consideration of the times which have passed since king Henry VIII; wherein I find the strangest variety, that in so little number of successions of any hereditary monarchy hath ever been known. The reign of a child; the offer of an usurpation, though it was but as a diary ague; the reign of a lady married to a foreigner; and the reign of a lady solitary and unmarried; so that as it cometh to pass in massy bodies, that they have certain trepidations and wavering before they fix and settle; so it seemeth that by the providence of God this monarchy, before it was to settle in his majesty, and his generations, in which I hope it is now established for ever, hath had these prelusive changes in these barren princes. Neither could I contain myself here, as it is easier for a man to multiply than to stay a wish, but calling to remembrance the unworthiness of the history of England[1], in the main continuance thereof; and the partiality and obli-

[1] The unworthiness of the history of England hath been long complained of by ingenious men, both of this and other nations. Sir Francis Bacon hath expressed himself much to the same effect, though more at large in his second book of the advancement of learning (vol. i. p. 83): where he carries this period of remarkable events somewhat higher than in this letter, beginning with the union of the roses under Henry VII. and ending with the union of the kingdoms under King James. A portion of time filled with so great and variable accidents both in Church and state, and since so well discovered to the view of the world, that had other parts the same performance, we should not longer lie under any reproach of this kind. The reign of King Henry VII. was written by our author soon after his retirement, with so great beauty of style, and wisdom of observation, that nothing can

quity of that of Scotland, in the latest and largest author[1] that I have seen: I conceived it would be honour for his majesty, and a work very memorable, if this island of Great Britain, as it is now joined in monarchy for the ages to come, so it were joined in history for the times past: and that one just and complete history were compiled of both nations. And if any man perhaps should think it may refresh the memory of former discords, he may satisfy himself with the verse "olim hæc meminisse juvabit:" for the case being now altered, it is matter of comfort and gratulation to remember former troubles. Thus much, if it may please your lordship, is in the optative mood; and it is time that I did look a little into the potential; wherein the hope which I conceived was grounded upon three observations. The first, the nature of these times, which flourish in learning, both of art and language; which giveth hope not only that it may be done, but that it may be well done. Secondly, I do see that which all the world sees in his majesty, both a wonderful judgment in learning, and a singular affection towards learning, and works which are of the mind more than of the hand. For there cannot be the like honour sought and found, in building of

be more entertaining; the truth of history not being disguised with the false colours of romance. It was so acceptable a present to the P. of Wales, that when he became king, he commanded him to proceed with the reign of King Henry VIII. But my lord Bacon meditating the history of nature, which he hardly lived to publish; his ill state of health, and succeeding death, put an end to this and other noble designs; leaving the ecclesiastical and civil affairs of those times to be related by the learned pens of Dr. Burnet, notwithstanding the objections of the avowed enemies, and seeming friends to the reformation, and the lord Herbert of Cherbury; that I think there is not much of moment to be expected from a future hand. And for the annals of Queen Elizabeth compiled by Mr. Camden, the esteem of them is as universal as the language in which they are written. Nor must I forget in this place to take notice of two fair and large volumes lately published in French by Monsieur de Larrey; where building upon the foundations laid by these gentlemen, and some other memoirs, he hath not forgotten to do much honour to the English nation: beginning his history also with Henry VII. *Stephens.*

[1] This I take to be meant of Buchanan's history of Scotland; a book much admired by some, though censured by many, for his partiality in favour of the lords against Mary queen of the Scots, and the regal power. In other respects, archbishop Spotswood informs us that he penned it with such judgment and eloquence as no country can shew a better. *Stephens.*

galleries [1], and planting of elms along high-ways, and in those outward ornaments, wherein France is now so busy, things rather of magnificence than of magnanimity, as there is in the uniting of states [2], pacifying of controversies [3], nourishing and augmenting of learning and arts, and the particular actions appertaining to these; of which kind Cicero judged truly, when he said to Cæsar, "Quantum operibus tuis detrahet vetustas, tantum addet laudibus." And lastly, I call to mind, that your lordship at some times hath been pleased to express unto me a great desire, that something of this nature should be performed; answerable indeed to your other noble and worthy courses and actions: joining and adding unto the great services towards his majesty, which have, in small compass of time, been performed by your lordship, other great deservings, both of the Church and commonwealth, and particulars: so as the opinion of so great and wise a man doth seem to me a good warrant both of the possibility and worth of the matter. But all this while I assure myself, I cannot be mistaken by your lordship, as if I sought an office or employment for myself; for no man knows better than your lordship, that if there were in me any faculty thereunto, yet neither my course of life nor profession would permit it; but because there be so many good painters [4] both for hand and colours, it needeth but encouragement and instructions to give life unto it. So in all humbleness I conclude my presenting unto your lordship this wish; which, if it perish, it is but a loss of that which is not. And so craving pardon that I have taken so much time from your lordship, I remain——

[1] The magnificent gallery at the Louvre in Paris, built by Henry IV.

[2] The union of England and Scotland.

[3] The conference at Hampton court held between the bishops and puritans, as they were then called, soon after the king's coming to the crown of England, and where his majesty was the moderator. *Stephens.*

[4] Great masters. *Matth.*

LXXXIV. TO THE KING, UPON SENDING UNTO HIM A BEGINNING OF THE HISTORY OF HIS MAJESTY'S TIMES [1].

IT MAY PLEASE YOUR MAJESTY,

HEARING that your majesty is at leisure to peruse story, a desire took me to make an experiment what I could do in your majesty's times, which being but a leaf or two, I pray your pardon, if I send it for your recreation; considering that love must creep where it cannot go. But to this I add these petitions: First, that if your majesty do dislike any thing, you would conceive I can amend it upon your least beck. Next, that if I have not spoken of your majesty encomiastically, your majesty would be pleased only to ascribe it to the law of an history; which doth not cluster together praises upon the first mention of a name, but rather disperseth and weaveth them through the whole narrative. And as for the proper place of commemoration, which is in the period of life, I pray God I may never live to write it. Thirdly, that the reason why I presumed to think of this oblation, was because whatsoever my disability be, yet I shall have that advantage which almost no writer of history hath had; in that I shall write of times not only since I could remember, but since I could observe. And lastly, that it is only for your majesty's reading.

LXXXV. A LETTER OF EXPOSTULATION, TO SIR EDWARD COKE, ATTORNEY-GENERAL [2].

MR. ATTORNEY,

I THOUGHT best, once for all, to let you know in plainness what I find of you, and what you shall find of me. You take to yourself a liberty to disgrace and disable my law, my experience, my discretion. What it pleaseth you, I pray, think of me: I am one that knows both mine own wants and other mens; and it may be, perchance, that mine mend, when others stand at a stay. And surely I may not endure, in public place,

[1] Rawley's Resuscitatio. [2] Ibid.

to be wronged without repelling the same to my best advantage to right myself. You are great, and therefore have the more enviers, which would be glad to have you paid at another's cost. Since the time I missed the solicitor's place, the rather I think by your means, I cannot expect that you and I shall ever serve as attorney and solicitor together: but either to serve with another upon your remove, or to step into some other course; so as I am more free than ever I was from any occasion of unworthy conforming myself to you, more than general good manners, or your particular good usage shall provoke; and if you had not been short-sighted in your own fortune, as I think, you might have had more use of me. But that tide is passed. I write not this to shew my friends what a brave letter I have written to Mr. Attorney; I have none of those humours; but that I have written is to a good end, that is, to the more decent carriage of my master's service, and to our particular better understanding one of another. This letter, if it shall be answered by you in deed, and not in word, I suppose it will not be worse for us both; else it is but a few lines lost, which for a much smaller matter I would have adventured. So this being to yourself, I for my part rest——

[Before June, 1606.]

LXXXVI. TO THE EARL OF SALISBURY, CONCERNING THE SOLICITOR'S PLACE [1].

MAY IT PLEASE YOUR LORDSHIP,

I AM not privy to myself of any such ill deserving towards your lordship, as that I should think it an impudent thing to be a suitor for your favour in a reasonable matter; your lordship being to me as, with your good favour, you cannot cease to be; but rather it were a simple and arrogant part in me to forbear it.

It is thought Mr. Attorney shall be chief justice of the common pleas; in case Mr. Solicitor rise, I would be glad now at last to be solicitor; chiefly because I

[1] Stephens's First Collection, p. 28.

think it will increase my practice, wherein God blessing me a few years, I may mend my state, and so after fall to my studies and ease; whereof one is requisite for my body, and the other serveth for my mind; wherein if I shall find your lordship's favour, I shall be more happy than I have been, which may make me also more wise. I have small store of means about the king, and to sue myself is not fit: and therefore I shall leave it to God, his majesty, and your lordship, for I must still be next the door. I thank God, in these transitory things I am well resolved. So beseeching your lordship not to think this letter the less humble, because it is plain, I rest, etc.

1606. FR. BACON.

LXXXVII. ANOTHER LETTER TO THE EARL OF SALISBURY, TOUCHING THE SOLICITOR'S PLACE[1].

IT MAY PLEASE YOUR GOOD LORDSHIP,

I AM not ignorant how mean a thing I stand for, in desiring to come into the solicitor's place: for I know well, it is not the thing it hath been; time having wrought alteration both in the profession, and in that special place. Yet because, I think, it will increase my practice, and that it may satisfy my friends: and because I have been voiced to it, I would be glad it were done. Wherein I may say to your lordship, in the confidence of your poor kinsman, and of a man by you advanced, "Tu idem fer opem, qui spem dedisti:" for, I am sure, it was not possible for a man living to have received from another more significant and comfortable words of hope; your lordship being pleased to tell me, during the course of my last service, that you would raise me; and that when you had resolved to raise a man, you were more careful of him than himself; and that what you had done for me in my marriage, was a benefit to me, but of no use to your lordship; and therefore I might assure myself, you would not leave me there; with many like speeches, which I know my duty too

[1] Rawley's Resuscitatio.

well, to take any other hold of than the hold of a thankful remembrance. And I acknowledge; and all the world knoweth, that your lordship is no dealer of holy water, but noble and real; and, on my part, I am of a sure ground, that I have committed nothing that may deserve alteration. And therefore my hope is, your lordship will finish a good work, and consider, that time groweth precious with me, that I am now *in vergentibus annis*. And although I know that your fortune is not to need an hundred such as I am, yet I shall be ever ready to give you my first and best fruits; and to supply, as much as in me lieth, worthiness by thankfulness.

LXXXVIII. TO THE LORD CHANCELLOR, CONCERNING THE SOLICITOR'S PLACE[1].

IT MAY PLEASE YOUR GOOD LORDSHIP,

As I conceived it to be a resolution, both with his majesty, and among your lordships of his council, that I should be placed solicitor, and the solicitor to be removed to be the king's serjeant: so I most thankfully acknowledge your lordship's furtherance and forwardness therein; your lordship being the man that first devised the mean: wherefore my humble request to your lordship is, that you would set in with some strength to finish this your work; which, I assure your lordship, I desire the rather, because being placed, I hope for many favours at last to be able to do you some better service. For as I am, your lordship cannot use me; nor scarcely indeed know me. Not that I vainly think, I shall be able to do any great matters, but certainly it will frame me to use a more industrious observance and application to such, as I honour so much as I do your lordship; and not, I hope, without some good offices, which may now and then deserve your thanks. And herewithal, good my lord, I humbly pray your lordship to consider, that time groweth precious with me, and that a married man is seven years elder in his thoughts the first day: and

therefore what a discomfortable thing is it for me to be unsettled still? Certainly, were it not that I think myself born to do my sovereign service, and therefore in that station I will live and die; otherwise for mine own private comfort, it were better for me that the king should blot me out of his book; or that I should turn my course to endeavour to serve in some other kind, than for me to stand thus at a stop; and to have that little reputation, which by my industry I gather, to be scattered and taken away by continual disgraces, every new man coming above me. Sure I am, I shall never have fairer promises and words from all your lordships. For I know not what my services are, saving that your lordships told me they were good, and I would believe you in a much greater matter. Were it nothing else, I hope the modesty of my suit deserveth somewhat; for I know well the solicitor's place is not as your lordship left it; time working alteration, somewhat in the profession, much more in that special place. And were it not to satisfy my wife's friends, and to get myself out of being a common gaze and a speech, I protest before God I would never speak word for it. But to conclude, as my honourable lady your wife was some mean to make me to change the name of another; so if it please you help me to change mine own name, I can be but more and more bounden to you: and I am much deceived, if your lordship find not the king well inclined, and my lord of Salisbury forward and affectionate.

1606.

LXXXIX. TO MY LADY PACKINGTON, IN ANSWER TO A MESSAGE BY HER SENT[1].

MADAM,

You shall with right good will be made acquainted with any thing that concerneth your daughters, if you bear a mind of love and concord: otherwise you must be content to be a stranger unto us: for I may not be so unwise as to suffer you to be an author or occasion of

[1] From an old copy of Sir Francis Bacon's Letters.

dissension between your daughters and their husbands, having seen so much misery of that kind in yourself.

And above all things I will turn back your kindness, in which you say, you will receive my wife if she be cast off: for it is much more likely we have occasion to receive you being cast off, if you remember what is passed. But it is time to make an end of those follies: and you shall at this time pardon me this one fault of writing to you; for I mean to do it no more till you use me and respect me as you ought. So wishing you better than it seemeth you will draw upon yourself, I rest,

Yours,

FR. BACON.

XC. TO THE KING, TOUCHING THE SOLICITOR'S PLACE[1].

How honestly ready I have been, most gracious sovereign, to do your majesty humble service, to the best of my power, and in a manner beyond my power, as I now stand, I am not so unfortunate but your majesty knoweth. For both in the commission of union, the labour whereof, for men of my profession, rested most upon my hand, and this last parliament, in the bill of the subsidy, both body and preamble; in the bill of attainders, both Tresham and the rest; in the matter of purveyance; in the ecclesiastical petitions; in the grievances; and the like; as I was ever careful, and not without good success, sometimes to put forward that which was good, sometimes to keep back that which was not so good; so your majesty was pleased kindly to accept of my services, and to say to me, such conflicts were the wars of peace, and such victories the victories of peace; and therefore such servants that obtained them were by kings, that reign in peace, no less to be esteemed, than services of commanders in the wars. In all which nevertheless I can challenge to myself no sufficiency, but that I was diligent and reasonably happy to execute those directions, which I received either immediately from your royal mouth, or from my

[1] Rawley's Resuscitatio.

lord of Salisbury: at which time it pleased your majesty also to promise and assure me, that upon the remove of the then attorney I should not be forgotten, but brought into ordinary place. And this was after confirmed to me, by many of my lords, and towards the end of the last term, the manner also in particular was spoken of; that is, that Mr. Solicitor should be made your majesty's serjeant, and I solicitor; for so it was thought best to sort with both our gifts and faculties for the good of your service; and of this resolution both court and country took knowledge. Neither was this any invention or project of mine own; but moved from my lords, and I think first from my lord Chancellor; whereupon resting, your majesty well knoweth I never opened my mouth for the greater place; though I am sure I had two circumstances, that Mr. Attorney, that now is, could not alledge: the one, nine years service of the crown; the other the being cousin germain to the lord of Salisbury, whom your majesty esteemeth and trusteth so much. But for the less place, I conceived it was meant me. But after that Mr. Attorney Hobart was placed, I heard no more of my preferment; but it seemed to be at a stop, to my great disgrace and discouragement. For, gracious sovereign, if still, when the waters are stirred, another shall be put in before me, your majesty had need work a miracle, or else I shall be still a lame man to do your majesty service. And therefore my most humble suit to your majesty is; that this, which seemed to me intended, may speedily be performed: and I hope, my former service shall be but as beginnings to better, when I am better strengthened: for, sure I am, no man's heart is fuller, I say not but many may have greater hearts, but I say, not fuller of love and duty towards your majesty and your children; as, I hope, time will manifest against envy and detraction, if any be. To conclude, I most humbly crave pardon for my boldness, and rest——

1606.

XCI. TO THE EARL OF SALISBURY, UPON A NEW-YEAR'S TIDE[1].

IT MAY PLEASE YOUR GOOD LORDSHIP,

HAVING no gift to present you with in any degree proportionable to my mind, I desire nevertheless to take the advantage of a ceremony to express myself to your lordship; it being the first time I could make the like acknowledgment, when I stood out of the person of a suitor: wherefore I most humbly pray your lordship to think of me, that, now it hath pleased you, by many effectual and great benefits, to add the assurance and comfort of your love and favour to that precedent disposition, which was in me to admire your virtue and merit; I do esteem whatsoever I have or may have in this world, but as trash, in comparison of having the honour and happiness to be a near and well accepted kinsman to so rare and worthy a counsellor, governor and patriot: for having been a studious, if not a curious observer of antiquities of virtue, as of late pieces, I forbear to say to your lordship what I find and conceive; but to any other I would think to make myself believed. But not to be tedious in that which may have the shew of a compliment, I can but wish your lordship many happy years, many more than your father had; even so many more, as we may need you more. So I remain—

XCII. TO MR. MATTHEW, IMPRISONED FOR RELIGION[2].

MR. MATTHEW,

Do not think me forgetful or altered towards you: but if I should say, I could do you any good, I should make my power more than it is. I do hear that which I am right sorry for; that you grow more impatient and busy than at first; which maketh me exceedingly fear the issue of that which seemeth not to stand at a stay. I myself am out of doubt, that you have been miserably abused, when you were first seduced; but that which I

[1] Rawley's Resuscitatio. [2] Ibid.

take in compassion, others may take in severity. I pray God, that understandeth us all better than we understand one another, contain you, even as I hope he will, at the least, within the bounds of loyalty to his majesty, and natural piety towards your country. And I intreat you much, sometimes to meditate upon the extreme effects of superstition in this last powder treason; fit to be tabled and pictured in the chambers of meditation, as another hell above the ground: and well justifying the censure of the heathen, that superstition is far worse than atheism; by how much it is less evil to have no opinion of God at all, than such as is impious towards his divine majesty and goodness. Good Mr. Matthew, receive yourself back from these courses of perdition. Willing to have written a great deal more, I continue, etc.

XCIII. TO MR. MATTHEW[1].

SIR,

Two letters of mine are now already walking towards you; but so that we might meet, it were no matter though our letters should lose their way. I make a shift in the mean time to be glad of your approaches, and would be more glad to be an agent for your presence, who have been a patient by your absence. If your body by indisposition make you acknowledge the healthful air of your native country; much more do I assure myself, that you continue to have your mind no way estranged. And as my trust with the state is above suspicion, so my knowledge both of your loyalty and honest nature will ever make me shew myself your faithful friend without scruple. You have reason to commend that gentleman to me, by whom you sent your last, although his having travelled so long amongst the sadder nations of the world make him much the less easy upon small acquaintance to be understood. I have sent you some copies of my book of the "Advancement", which you desired; and a little work of my recreation, which you desired not. My "Instauration" I reserve for our conference; it sleeps not. Those

[1] Sir Tobie Matthew's Collection of Letters, p. 14.

works of the "Alphabet" are in my opinion of less use to you where you are now, than at Paris; and therefore I conceived, that you had sent me a kind of tacit countermand of your former request. But in regard that some friends of yours have still insisted here, I send them to you; and for my part, I value your own reading more than your publishing them to others. Thus, in extreme haste, I have scribbled to you I know not what, which therefore is the less affected, and for that very reason will not be esteemed the less by you.

XCIV. TO SIR GEORGE CAREW,[1] ON SENDING HIM THE TREATISE "IN FELICEM MEMORIAM ELIZABETHÆ[2]."

BEING asked a question by this bearer, an old servant of my brother Anthony Bacon's, whether I would command him any thing into France; and being at better leisure than I would, in regard of sickness, I began to remember that neither your business nor mine, though great and continual, can be, upon an exact account, any just occasion why so much good-will as hath passed between us should be so much discontinued as it hath been. And therefore, because one must begin, I thought to provoke your remembrance of me by a letter: and thinking to fill it with somewhat besides salutations, it came to my mind, that this last summer vacation, by occasion of a factious book that endeavoured to verify "Misera Fœmina," the addition of the pope's bull, upon queen Elizabeth, I did write a few lines in her memorial, which I thought you would be pleased to read, both for the ar-

[1] Sir George Carew of Cornwall was master in chancery in the time of queen Elizabeth; and in 1597 sent ambassador into Poland; and in 1606 went to the court of France with the like character. After about three years' continuance, he was recalled by the king to make use of his services at home; but he survived not many years. M. de Thou in a letter to Mr. Camden in 1613, very much laments his death; as losing a friend he much valued, and an assistant in the prosecution of his history: having received helps from him in that part which relates to the dissensions between the Poles and the Swedes in the year 1598, as appears before the contents of book CXXI. *Stephens.*

[2] Rawley's Resuscitatio.

gument, and because you were wont to bear affection to my pen. "Verum, ut aliud ex alio," if it came handsomely to pass, I would be glad the president De Thou, who hath written an history, as you know, of that fame and diligence, saw it; chiefly because I know not whether it may not serve him for some use in his story; wherein I would be glad he did write to the truth, and to the memory of that lady, as I perceive by that he hath already written he is well inclined to do. I would be glad also, it were some occasion, such as absence may permit, of some acquaintance or mutual notice between us. For though he hath many ways the precedence, chiefly in worth, yet this is common to us both, that we serve our sovereigns in places of law eminent: and not ourselves only, but that our fathers did so before us. And lastly, that both of us love learning and liberal sciences, which was ever a bond of friendship in the greatest distance of places. But of this I make no farther request, than your own occasions and respects, to me unknown, may further or limit; my principal purpose being to salute you, and to send you this token: whereunto I will add my very kind commendations to my lady; and so commit you both to God's holy protection.

XCV. TO THE KING, UPON PRESENTING THE "DISCOURSE TOUCHING THE PLANTATION OF IRELAND"[1].

IT MAY PLEASE YOUR EXCELLENT MAJESTY,

I KNOW not better how to express my good wishes of a new-year to your majesty, than by this little book, which in all humbleness I send you. The stile is a stile of business, rather than curious or elaborate. And herein I was encouraged by my experience of your majesty's former grace, in accepting of the like poor field-fruits touching the union. And certainly I reckon this action as a second brother to the union. For I assure myself that England, Scotland, and Ireland well united, is such a trefoil as no prince except yourself, who are the worthiest,

[1] Rawley's Resuscitatio.

weareth in his crown; "Si potentia reducatur in actum;" I know well, that for me to beat my brains about these things, they be "majora quam pro fortuna;" but yet they be "minora quam pro studio ac voluntate." For as I do yet bear an extreme zeal to the memory of my old mistress Queen Elizabeth, to whom I was rather bound for her trust than her favour; so I must acknowledge myself more bound to your majesty both for trust and favour; whereof I will never deceive the one, as I can never deserve the other. And so, in all humbleness kissing your majesty's sacred hand, I remain.

XCVI. TO THE BISHOP OF ELY, UPON SENDING HIS WRITING, INTITLED, "COGITATA ET VISA[1]."

MY VERY GOOD LORD,

Now your lordship hath been so long in the church and the palace, disputing between kings and popes[2];

[1] Rawley's Resuscitatio.

[2] The king and kingdom being exasperated by the gun-powder treason, thought it necessary to make some more effectual laws to distinguish between those papists that paid due obedience to the king, and those that did not. For which end, in the parliament which met upon the memorable fifth of November, 1605, a new oath of allegiance was framed; declaring that the pope, etc. had no power to depose Kings, absolve their subjects, or dispose of their kingdoms, etc. The court of Rome, jealous of losing an authority they had been many years assuming; and especially perceiving that many papists submitted to the oath, as not intrenching upon matters of faith, severely inhibited them from taking the same by two briefs, the one quickly succeeding the other. The King, on the other hand, esteeming it a point that nearly concerned him, had recourse to those arms he could best manage, and encountered the briefs by a premonition directed to all Christian princes; exhorting them to espouse the common quarrel. Cardinal Bellarmine, who, by virtue of his title, thought himself almost equal to princes, and by his great learning much superior, enters the lists with the King. The seconds coming in on both sides, no man was thought fitter to engage this remarkable antagonist than that great and renowned prelate in learning and sanctity, Dr. Andrews, then bishop of Ely, and after of Winchester. Neither were the reformed of the French church idle spectators; as Monsieur du Moulin, and Monsieur du Plessis Mornay: this last published a book at Saumur in 1611, intitled, "The Mystery of Iniquity," etc. shewing by what degrees the bishops of Rome had raised themselves to their present grandeur, asserting the right of sovereign princes against the position of the cardinals Bellarmine and Baronius: the French edition whereof he dedicated to Lewis the thirteenth, and the Latin to King James. This last performance was presented to King James, with a letter exhorting him, "de quitter d'oresenavant

methinks you should take pleasure to look into the field, and refresh your mind with some matter of philosophy; though that science be now through age waxed a child again, and left to boys and young men. And because you were wont to make me believe you took liking to my writings, I send you some of this vacation's fruits; and thus much more of my mind and purpose. I hasten not to publish; perishing I would prevent; and I am forced to respect as well my times as the matter. For with me it is thus; and I think, with all men in my case: if I bind myself to an argument, it loadeth my mind; but if I rid my mind of the present cogitation, it is rather a recreation. This hath put me into these miscellanies; which I purpose to suppress, if God give me leave to write a just and perfect volume of philosophy, which I go on with though slowly. I send not your lordship too much, lest it may glut you. Now let me

la plume, pour aller espée à la main desnicher l'antichrist hors de sa forteresse:" to give over waging a war with his pen, and to destroy the papal power with his sword; which he excites the King to attempt in the conclusion of his dedication, with so much life, that I shall crave the liberty to insert part of his own words, in order to declare the spirit and zeal of a gentleman, who for his valour and conduct in war, his judgment in council, his dexterity in dispatches, and his firmness and constancy in religion, in the defence of which, hand, and tongue, and pen, were employed, is far above all the titles of honour that can be given.

"Hanc tu, rex potentissime, laudem, hanc lauream, absit ut tibi præripi patiaris; cuiquam alii servatam velis; non sanguine, non vita, non carioribus cæteris redemptam malis. At tu, Jehova Deus, cujus res, cujus gloria, hic proprie agitur; cujus absque ope frustra sint vota, suspiria, molimina nostra; evigila, exurge, robur indue, justitiam ut loricam. Voca servum tuum per nomen suum, prehende dexteram Uncti tui, ambula ante faciem ejus; complanentur valles, subsidant montes, consternantur fluvii, pateant januæ, conterantur vectes, contremiscant populi, corruat Jericho illa in spiritu oris tui, in conspectu ejus. Ego sexagenario licet jam major, lateri tunc ipsius hæream indivulsus; inter angusta, inter aspera Alpium senectam exuam; inter principia prælium misceam; inter triumphos præcinente angelo *Cecidit* illud congeminem; sanctæ huic lætitiæ totus immergar, æternæ contiguus immoriar raptus."

But this was an enterprise suited to the warlike genius of Du Plessis, great master of Henry the fourth, and not to the peaceable spirit of king James. Besides the king, in his answer of the 20th of October, 1611, after he had excused his long silence, and very much commended this author in the design of his book, and as freely called the pope antichrist, and Rome Babylon, conceives that neither the Scriptures, the doctrine nor example of the primitive Church, would sufficiently justify an offensive war, undertaken purely for religion; could he in prudence expect any success in such an attempt. *Stephens.*

tell you what my desire is: if your lordship be so good now, as when you were the good dean of Westminster, my request to you is, that not by pricks, but by notes, you would mark unto me whatsoever shall seem unto you either not current in the style, or harsh to credit and opinion, or inconvenient for the person of the writer; for no man can be judge and party: and when our minds judge by reflection on ourselves, they are more subject to error. And though, for the matter itself, my judgment be in some things fixed, and not accessible by any man's judgment that goeth not my way: yet even in those things, the admonition of a friend may make me express myself diversely. I would have come to your lordship, but that I am hastening to my house in the country: and so I commend your lordship to God's goodness.

XCVII. TO SIR THOMAS BODLEY, AFTER HE HAD IMPARTED TO HIM A WRITING, INTITLED, "COGITATA ET VISA [1]."

SIR,

IN respect of my going down to my house in the country, I shall have miss of my papers, which I pray you therefore to return unto me. You are, I bear you witness, slothful, and you help me nothing: so as I am half in conceit, that you affect not the argument: for myself, I know well, you love and affect. I can say no more to you, but "non canimus surdis, respondent omnia sylvæ." If you be not of the lodgings chalked up, whereof I speak in my preface, I am but to pass by your door. But if I had you a fortnight at Gorhambury, I would make you tell me another tale; or else I would add a cogitation against libraries, and be revenged on you that way. I pray you send me some good news of Sir Thomas Smith; and commend me very kindly to him. So I rest——

1607.

[1] Rawley's Resuscitatio.

XCVIII. SIR THOMAS BODLEY'S LETTER TO SIR FRANCIS BACON, ABOUT HIS "COGITATA ET VISA," WHEREIN HE DECLARETH HIS OPINION FREELY TOUCHING THE SAME [1].

SIR,

As soon as the term was ended, supposing your leisure was more than before, I was coming to thank you two or three times, rather choosing to do it by word than by letter: but I was still disappointed of my purpose, as I am at this present upon an urgent occasion, which doth tie me fast to Fulham, and hath now made me determine to impart my mind in writing.

I think you know I have read your "Cogitata et Visa," which I protest I have done with great desire, reputing it a token of your singular love that you joined me with those your chiefest friends, to whom you would commend the first perusal of your draught; for which, I pray you, give me leave to say but this unto you:

First, that if the depth of my affection to your person and spirit, to your works, and your words, and to all your abilities, were as highly to be valued, as your affection is to me, it might walk with yours arm in arm, and claim your love by just desert. But there can be no comparison where our states are so uneven, and our means to demonstrate our affections so different: insomuch as for my own, I must leave it to be prized in the nature that it is; and you shall evermore find it most addicted to your worth.

As touching the subject of your book, you have set afoot so many rare and noble speculations, as I cannot choose but wonder, and I shall wonder at it ever, that, your expence of time considered in your public profession, which hath in a manner no acquaintance with scholarship or learning, you should have culled out the quintessence, and sucked up the sap of the chiefest kind of learning.

For howsoever in some points you do vary altogether from that which is, and hath been ever, the received

[1] Appendix to a Collection of Letters of Archbishop Usher, Letter xiv. p. 19.

doctrine of our schools, and was always by the wisest, as still they have been deemed, of all nations and ages, adjudged the truest; yet it is apparent, that in those very points, and in all your proposals and plots in that book, you shew yourself a master workman.

For myself, I must confess, and I speak it *ingenuè*, that for the matter of learning, I am not worthy to be reckoned in the number of smatterers.

And yet because it may seem, that being willing to communicate your treatise with your friends, you are likewise willing to listen to whatsoever I or others can except against it; I must deliver unto you for my private opinion, that I am one of that crew that say there is, and we profess, a far greater holdfast of certainty in our sciences, than you by your discourse will seem to acknowledge.

For whereas, first, you do object the ill success and errors of practitioners in physic, you know as well they do proceed of the patient's unruliness, for not one of a hundred doth obey his physician in observing his cautels; or by misinformation of their own indispositions, for few are able in this kind to explicate themselves; or by reason their diseases are by nature incurable, which is incident, you know, to many sorts of maladies; or for some other hidden cause which cannot be discovered by course of conjecture. Howbeit, I am full of this belief, that as physic is ministred now-a-days by physicians, it is much to be ascribed to their negligence or ignorance, or other touch of imperfection, that they speed no better in their practice: for few are found of that profession so well instructed in their art, as they might by the precepts which their art doth afford; which though it be defective in regard of such perfection, yet for certain it doth flourish with admirable remedies, such as tract of time hath taught by experimental events, and are the open highway to that principal knowledge that you recommend.

As for alchemy, and magic, some conclusions they have that are worthy the preserving; but all their skill is so accompanied with subtleties and guiles, as both the crafts and craft-masters are not only despised, but named with derision. Whereupon to make good your principal as-

sertion, methinks you should have drawn your examples from that which is taught in the liberal sciences, not by picking out cases that happen very seldom, and may by all confession be subject to reproof; but by controlling the generals, and grounds, and eminent positions, and aphorisms, which the greatest artists and philosophers have from time to time defended.

For it goeth for current amongst all men of learning, that those kind of arts which clerks in times past did term quadrivials, confirm their propositions by infallible demonstrations.

And likewise in the trivials such lessons and directions are delivered unto us, as will effect very near, or as much altogether, as every faculty doth promise. Now in case we should concur to do as you advise, which is, to renounce our common notions, and cancel all our theorems, axioms, rules, and tenets, and so to come babes "ad regnum naturæ," as we are willed by Scriptures to come "ad regnum cœlorum;" there is nothing more certain in my understanding, than that it would instantly bring us to barbarism, and, after many thousand years, leave us more unprovided of theorical furniture than we are at this present: for that were indeed to become very babes, or *tabula rasa*, when we shall leave no impression of any former principles, but be driven to begin the world again, and to travel by trials of axioms and sense, which are your proofs by particulars, what to place *in intellectu*, for our general conceptions; it being a maxim of all mens approving, "In intellectu nihil esse, quod non prius fuit in sensu;" and so in appearance it would befal us, that till Plato's year be come about, our insight in learning would be of less reckoning than now it is accounted.

As for that which you inculcate, of a knowledge more excellent than now is among us, which experience might produce, if we would but essay to extract it out of nature by particular probations, it is no more upon the matter, but to incite us unto that, which without instigation by a natural instinct men will practise of themselves: for it cannot in reason be otherwise thought, but that there are infinite numbers in all parts of the world, for we may

not in this case confine our cogitations within the bounds of Europe, which embrace the course that you purpose, with all the diligence and care that ability can perform; for every man is born with an appetite of knowledge, wherewith he cannot be so glutted, but still, as in a dropsy, thirst after more.

But yet why they should hearken to any such persuasion, as wholly to abolish those settled opinions and general theorems, to which they attained by their own and their ancestors experience, I see nothing yet alledged to induce me to think it.

Moreover, I may speak, as I should suppose with good probability, that if we should make a mental survey what is like to be effected all the world over, those five or six inventions which you have selected, and imagine to be but of modern standing, would make but a slender show amongst so many hundreds of all kinds of natures, which are daily brought to light by the enforcement of wit, or casual events, and may be compared, or partly preferred above those that you have named.

But were it so here that all were admitted, that you can require, for the augmentation of our knowledge; and that all our theorems and general positions were utterly extinguished with a new substitution of others in their places, what hope may we have of any benefit of learning by this alteration?

Assuredly, as soon as the new are brought with their additions *ad ἀκμήν*, by the inventors and their followers, by an interchangeable course of natural things they will fall by degrees to be buried in oblivion, and so on continuance to perish outright; and that perchance upon the like to your present pretences, by proposal of some means to advance all our knowledge to an higher pitch of perfectness: for still the same defects that antiquity found, will reside in mankind.

And therefore, other issues of their actions, devices, and studies are not to be expected, than is apparent by records were in former times observed.

I remember here a note which Paterculus made of the incomparable wits of the Grecians and Romans in

their flourishing state, that there might be this reason of their notable downfal in their issue that came after; because by nature "Quod summo studio petitum est ascendit in summum, difficilisque in perfecto mora est;" insomuch that men perceiving that they could go no farther, being come to the top, they turned back again of their own accord, forsaking those studies that are most in request, and betaking themselves to new endeavours, as if the thing that they sought had been by prevention surprised by others.

So it fared in particular with the eloquence of that age, that when their successors found that hardly they could equal, by no means excel their predecessors, they began to neglect the study thereof, and both to write and speak for many hundred years in a rustical manner; till this latter revolution brought the wheel about again, by inflaming gallant spirits to give the onset afresh, with straining and striving to climb unto the top and height of perfection, not in that gift only, but in every other skill in any part of learning.

For I do not hold it an erroneous conceit to think of every science, that as now they are professed, so they have been before in all precedent ages, though not alike in all places, nor at all times alike in one and the same place, but according to the changings and twinings of times, with a more exact and plain, or with a more rude and obscure kind of teaching.

And if the question should be asked, what proof I have of it, I have the doctrine of Aristotle, and of the deepest learned clerks, of whom we have any means to take any notice, that as there is of other things, so there is of sciences, *ortus et interitus*, which is also the meaning, if I should expound it, of "nihil novum sub sole," and is as well to be applied *ad facta*, as *ad dicta*, "ut nihil neque dictum neque factum, quod non est dictum et factum prius." I have farther for my warrant that famous complaint of Solomon to his son against the infinite making of books in his time, of which in all congruity it must needs be understood, that a great part were observations and instructions in all kind of literature: and those there is not now so much as one petty pamphlet,

only some parts of the bible excepted, remaining to posterity.

As then there was not, in like manner, any footing to be found of millions of authors that were long before Solomon, and yet we must give credit to that which he affirmed, that whatsoever was then, or had been before, it could never be truly pronounced of it, Behold this is new.

Whereupon I must for my final conclusion infer, seeing all the endeavours, study and knowledge of mankind, in whatsoever art or science, have ever been the same, as they are at this present, though full of mutabilities, according to the changes and accidental occasions of ages and countries, and clerks dispositions, which can never be but subject to intention and remission, both in their devices and practices of their knowledge: if now we should accord in opinion with you, First, to condemn our present knowledge of doubts and incertitudes, which you confirm but by averment, without other force of argument: And then to disclaim all our axioms and maxims, and general assertions that are left by tradition from our elders to us, which, for so it is to be pretended, have passed all probations of the sharpest wits that ever were: And lastly, to devise, being now become again as it were *abecedarii*, by the frequent spelling of particulars to come to the notice of the true generals, and so afresh to create new principles of sciences: the end of all would be that, when we shall be dispossessed of the learning which we have, all our consequent travels will but help us in a circle to conduct us to the place from whence we set forward, and bring us to the happiness to be restored *in integrum:* which will require as many ages as have marched before us, to be perfectly atchieved.

And this I write with no dislike of increasing our knowledge with new-found devices, which is undoubtedly a practice of high commendation, in regard of the benefit they will yield for the present; that the world hath ever been, and will assuredly for ever continue very full of such devisors, whose industry hath been very obstinate and eminent that way, and hath produced strange effects, above the reach and the hope of mens common capaci-

ties; and yet our notions and theorems have always kept in grace both with them, and with the rarest that ever were named among the learned.

By this you see to what boldness I am brought by your kindness, that if I seem to be too saucy in this contradiction, it is the opinion that I hold of your noble disposition, and of the freedom in these cases that you will afford your special friend, that hath induced me to do it. And although I myself, like a carrier's horse, cannot balk the beaten way in which I have been trained, yet such is my censure of your "Cogitata," that I must tell you, to be plain, you have very much wronged yourself and the world, to smother such a treasure so long in your coffer; for though I stand well assured, for the tenor and subject of your main discourse, you are not able to impannel a substantial jury in any university that will give up a verdict to acquit you of error, yet it cannot be gainsaid, but all your treatise over doth abound with choice conceits of the present state of learning, and with so worthy contemplations of the means to procure it, as may persuade any student to look more narrowly to his business, not only by aspiring to the greatest perfection of that which is now-a-days divulged in the sciences, but by diving yet deeper into, as it were, the bowels and secrets of nature, and by enforcing of the powers of his judgment and wit, to learn of St. Paul, "consectari meliora dona:" which course, would to God, to whisper so much in your ear, you had followed at the first, when you fell into the study of such a study as was not worthy such a student. Nevertheless being so as it is, that you are therein settled, and your country soundly served, I cannot but wish with all my heart, as I do very often, that you may gain a fit reward to the full of your deserts, which I hope will come with heaps of happiness and honour.

Yours to be used and commanded,

THO. BODLEY.

From Fulham, Feb. 19, 1607.

POSTSCRIPT.

SIR,

ONE kind of boldness doth draw on another, insomuch as, methinks I should offend not to signify, that before the transcript of your book be fitted for the press, it will be requisite for you to cast a censor's eye upon the stile and the elocution; which in the framing of some periods, and in divers words and phrases, will hardly go for current, if the copy brought to me be just the same that you would publish.

XCIX. TO MR. MATTHEW, UPON SENDING TO HIM A PART OF "INSTAURATIO MAGNA."[1]

MR. MATTHEW,

I PLAINLY perceive by your affectionate writing touching my work, that one and the same thing affecteth us both; which is, the good end to which it is dedicated; for as to any ability of mine, it cannot merit that degree of approbation. For your caution for church-men and church-matters, as for any impediment it might be to the applause and celebrity of my work, it moveth me not; but as it may hinder the fruit and good which may come of a quiet and calm passage to the good port to which it is bound, I hold it a just respect; so as to fetch a fair wind I go not too far about. But the truth is, that I at all have no occasion to meet them in my way; except it be as they will needs confederate themselves with Aristotle, who, you know, is intemperately magnified by the schoolmen; and is also allied, as I take it, to the jesuits, by Faber, who was a companion of Loyola, and a great Aristotelian. I send you at this time the only part which hath any harshness; and yet I framed to myself an opinion, that whosoever allowed well of that preface, which you so much commend, will not dislike, or at least ought not to dislike, this other speech of preparation; for it is written out of the same spirit, and out of the same necessity: nay, it doth more fully lay open, that the question between me and the ancients, is not of

[1] Rawley's Resuscitatio.

the virtue of the race, but of the rightness of the way. And to speak truth, it is to the other but as *palma* to *pugnus*, part of the same thing more large. You conceive aright, that in this, and the other, you have commission to impart and communicate them to others according to your discretion. Other matters I write not of. Myself am like the miller of Granchester, that was wont to pray for peace amongst the willows; for while the winds blew, the wind-mills wrought, and the water-mill was less customed. So I see that controversies of religion must hinder the advancement of sciences. Let me conclude with my perpetual wish towards yourself, that the approbation of yourself, by your own discreet and temperate carriage, may restore you to your country, and your friends to your society. And so I commend you to God's goodness.

Gray's-Inn, Oct. 10, 1609.

C. TO MR. MATTHEW[1].

SIR,

I THANK you for the last, and pray you to believe, that your liberty in giving opinion of those writings which I sent you, is that which I sought, which I expected, and which I take in exceeding good part; so good as that it makes me recontinue, or rather continue my hearty wishes of your company here, that so you might use the same liberty concerning my actions, which now you exercise concerning my writings. For that of queen Elizabeth, your judgment of the temper and truth of that part, which concerns some of her foreign proceedings, concurs fully with the judgment of others, to whom I have communicated part of it; and as things go, I suppose they are likely to be more and more justified and allowed. And whereas you say, for some other part, that it moves and opens a fair occasion, and broad way, into some field of contradiction: on the other side it is written to me from the lieger[2] at Paris, and some others also, that it carries a manifest impression of truth with

[1] Sir Toby Matthew's Collection of Letters, p. 12. [2] Sir George Carew.

it, and that it even convinces as it grows. These are their very words; which I write not for mine own glory, but to shew what variety of opinion rises from the disposition of several readers. And I must confess my desire to be, that my writings should not court the present time, or some few places, in such sort as might make them either less general to persons, or less permanent in future ages. As to the "Instauration," your so full approbation thereof I read with much comfort, by how much more my heart is upon it; and by how much less I expected consent and concurrence in a matter so obscure. Of this I can assure you, that though many things of great hope decay with youth, and multitude of civil businesses is wont to diminish the price, though not the delight of contemplations, yet the proceeding in that work doth gain with me upon my affection and desire, both by years and businesses. And therefore I hope, even by this, that it is well pleasing to God, from whom, and to whom all good moves. To him I most heartily commend you.

CI. TO MR. MATTHEW[1].

MR. MATTHEW,

I HEARTILY thank you for your letter of the 10th of February, and am glad to receive from you matter both of encouragement and of advertisement touching my writings. For my part I do wish, that since there is no *lumen siccum*[2] in the world, but all *madidum*, and *maceratum*, infused in affections, and bloods, or humours, that these things of mine had those separations that might make them more acceptable: so that they claim not so much acquaintance of the present times, as they be thereby the less apt to last. And to shew you that I have some purpose to new-mould them, I send you a leaf

[1] Rawley's Resuscitatio.

[2] Our author alludes to one of the dark sayings of Heraclitus, that dry light is ever the best; which in another place he thus expounds: "Certainly the light that a man receiveth by counsel from another, is drier and purer than that which cometh from his own understanding and judgment, this being ever infused and drenched in his affections." *Stephens.*

or two of the preface, carrying some figure of the whole work. Wherein I purpose to take that which I count real and effectual of both writings; and chiefly to add a pledge, if not payment, to my promises, I send you also a memorial of queen Elizabeth; to requite your eulogy of the late duke of Florence's[1] felicity. Of this, when you were here, I shewed you some model; at what time, methought, you were more willing to hear Julius Cæsar, than Queen Elizabeth, commended. But this which I send is more full, and hath more of the narrative: and farther, hath one part that, I think, will not be disagreeable either to you or that place; being the true tract of her proceedings towards the catholicks, which are infinitely mistaken. And though I do not imagine they will pass allowance there, yet they will gain upon excuse. I find Mr. Le Zure to use you well, I mean his tongue of you, which shews you either honest, or wise: but this I speak merrily. For in good faith I do conceive hope, that you will so govern yourself, as we may take you as assuredly for a good subject and patriot, as you take yourself for a good Christian; and so we may again enjoy your company, and you your conscience, if it may no otherwise be. For my part, assure yourself, as we say in the law, "mutatis mutandis," my love and good wishes to you are not diminished. And so I remain——

CII. TO MR. MATTHEW UPON SENDING HIS BOOK "DE SAPIENTIA VETERUM"[2].

MR. MATTHEW,

I DO very heartily thank you for your letter of the 24th of August from Salamanca; and in recompence thereof I send you a little work of mine, that hath begun to pass the world. They tell me my Latin is turned

[1] This duke of Florence was named Ferdinand, of the house of Medici; whose memory Sir Henry Wotton celebrated in a letter printed in his remains, and presented to king Charles I. Piasecius, the bishop of Premista in Poland, begins his chronicle of the year 1609, with an account of his death; and sums up his character in these words: "Princeps animo excelso, et omnibus politicis artibus in tantum instructus, ut in multis seculis vix æqualem habuerit." *Stephens.*

[2] Rawley's Resuscitatio.

into silver, and become current: had you been here, you should have been my inquisitor before it came forth: but, I think, the greatest inquisitor in Spain will allow it. But one thing you must pardon me if I make no haste to believe, that the world should be grown to such an ecstasy as to reject truth in philosophy, because the author dissenteth in religion; no more than they do by Aristotle or Averroes. My great work goeth forward; and after my manner, I alter ever when I add. So that nothing is finished till all be finished. This I have written in the midst of a term and parliament; thinking no time so possessed, but that I should talk of these matters with so good and dear a friend. And so with my wonted wishes I leave you to God's goodness.

From Gray's Inn, Feb. 27, 1610.

CIII. TO THE KING, DESIRING TO SUCCEED IN THE ATTORNEY'S PLACE[1].

IT MAY PLEASE YOUR MAJESTY,

YOUR great and princely favours towards me in advancing me to place; and, that which is to me of no less comfort, your majesty's benign and gracious acceptation, from time to time, of my poor services, much above the merit and value of them; hath almost brought me to an opinion that I may sooner, perchance, be wanting to myself in not asking, than find your majesty's goodness wanting to me in any my reasonable and modest desires. And therefore perceiving how at this time preferments of law fly about mine ears, to some above me, and to some below me; I did conceive your majesty may think it rather a kind of dullness, or want of faith, than modesty, if I should not come with my pitcher to Jacob's well, as others do. Wherein I shall propound to your majesty that which tendeth not so much to the raising of my fortune, as to the settling of my mind: being sometimes assailed with this cogitation, that by reason of my slowness to see and apprehend sudden occasions, keeping in one plain course of painful service, I may, *in*

[1] Rawley's Resuscitatio.

fine dierum, be in danger to be neglected and forgotten: and if that should be, then were it much better for me, now while I stand in your majesty's good opinion, though unworthy, and have some little reputation in the world, to give over the course I am in, and to make proof to do you some honour by my pen, either by writing some faithful narrative of your happy, though not untraduced, times; or by recompiling your laws, which, I perceive, your majesty laboureth with; and hath in your head, as Jupiter had Pallas, or some other the like work; for without some endeavour to do you honour, I would not live; than to spend my wits and time in this laborious place wherein I now serve; if it shall be deprived of those outward ornaments, which it was wont to have, in respect of an assured succession to some place of more dignity and rest; which seemeth now to be an hope altogether casual, if not wholly intercepted. Wherefore, not to hold your majesty long, my humble suit to your majesty is that, than the which I cannot well go lower; which is, that I may obtain your royal promise to succeed, if I live, into the attorney's place, whensoever it shall be void; it being but the natural and immediate step and rise which the place I now hold hath ever, in sort, made claim to, and almost never failed of. In this suit I make no friends but to your majesty, rely upon no other motive but your grace, nor any other assurance but your word; whereof I had good experience, when I came to the solicitor's place, that it was like to the two great lights, which in their motions are never retrograde. So with my best prayers for your majesty's happiness, I rest—

CIV. TO THE KING, UPON THE ATTORNEY'S SICKNESS[1].

IT MAY PLEASE YOUR MOST EXCELLENT MAJESTY,

I DO understand by some of my good friends, to my great comfort, that your majesty hath in mind your majesty's royal promise, which to me is *anchora spei,* touching the attorney's place. I hope Mr. Attorney shall do

[1] Rawley's Resuscitatio.

well. I thank God I wish no man's death, nor much mine own life, more than to do your majesty service. For I account my life the accident, and my duty the substance. But this I will be bold to say; if it please God that I ever serve your majesty in the attorney's place, I have known an attorney Coke, and an attorney Hobart, both worthy men, and far above myself: but if I should not find a middle way between their two dispositions and carriages, I should not satisfy myself. But these things are far or near, as it shall please God. Mean while I most humbly pray your majesty, to accept my sacrifice of thanksgiving for your gracious favour. God preserve your majesty, I ever remain—

CV. [1] TO THE MOST HIGH AND EXCELLENT PRINCE, HENRY, PRINCE OF WALES, DUKE OF CORNWALL, AND EARL OF CHESTER [2].

IT MAY PLEASE YOUR HIGHNESS,

HAVING divided my life into the contemplative and active part, I am desirous to give his majesty and your highness of the fruits of both, simple though they be.

To write just treatises, requireth leisure in the writer, and leisure in the reader, and therefore are not so fit, neither in regard of your highness's princely affairs, nor in regard of my continual service; which is the cause that hath made me choose to write certain brief notes, set down rather significantly than curiously, which I have called "Essays." The word is late, but the thing is ancient; for Seneca's epistles to Lucilius, if you mark them well, are but essays, that is, dispersed meditations, though conveyed in the form of epistles. These labours of mine, I know, cannot be worthy of your highness, for what can be worthy of you? But my hope is, they may be as grains of salt, that will rather give you an appetite, than

[1] Stephen's Second Collection, p. 1.

[2] Sir Francis Bacon designed to have prefixed this epistle to his Essays, printed in the year 1612, but was prevented by the prince's death; yet it was so well liked by Mr. Matthew, that he inserted part of it in his dedication to the duke of Tuscany, before his translation of those Essays printed in 1618.

offend you with satiety. And although they handle those things wherein both mens lives and their persons are most conversant; yet what I have attained I know not; but I have endeavoured to make them not vulgar, but of a nature, whereof a man shall find much in experience, and little in books; so as they are neither repetitions nor fancies. But, however, I shall most humbly desire your highness to accept them in gracious part, and to conceive, that if I cannot rest, but must shew my dutiful and devoted affection to your highness in these things which proceed from myself, I shall be much more ready to do it in performance of any of your princely commandments. And so wishing your highness all princely felicity I rest,

Your Highness's most humble servant,

1612. FR. BACON.

CVI. TO THE EARL OF SALISBURY, LORD TREASURER, UPON A NEW-YEAR'S TIDE[1].

IT MAY PLEASE YOUR GOOD LORDSHIP,

I WOULD intreat the new year to answer for the old, in my humble thanks to your lordship; both for many your favours, and chiefly that upon the occasion of Mr. Attorney's infirmity I found your lordship even as I could wish. This doth increase a desire in me to express my thankful mind to your lordship; hoping, that though I find age and decays grow upon me, yet I may have a flash or two of spirit left to do you service: and I do protest before God, without compliment or any light vanity of mind, that if I knew in what course of life to do you best service, I would take it, and make my thoughts, which now fly to many pieces, be reduced to that centre. But all this is no more but that I am; which is not much; but yet the entire of him that is, etc.

[1] Rawley's Resuscitatio.

CVII. TO MY LORD-MAYOR, UPON A PROCEEDING IN A PRIVATE CAUSE [1].

MY VERY GOOD LORD,

I DID little expect, when I left your lordship last, that there would have been a proceeding against Mr. Barnard to his overthrow: wherein I must confess myself to be in a sort accessary; because he relying upon me for counsel, I advised that course which he followed. Wherein now I begin to question myself, whether in preserving my respects unto your lordship, and the rest, I have not failed in the duty of my profession towards my client. For certainly, if the words had been hainous, and spoken in a malicious fashion, and in some public place, and well proved; and not a prattle in a tavern, caught hold of by one who, as I hear, is a detected sycophant, Standish, I mean; yet I know not what could have been done more, than to impose upon him a grievous fine, and to require the levying of the same; and to take away his means of life by his disfranchisement, and to commit him to a defamed prison during Christmas; in honour whereof, the prisoners in other courts do commonly of grace obtain some enlargement. This rigour of proceeding, to tell your lordship and the rest, as my good friends, my opinion plainly, tendeth not to strengthen authority, which is best supported by love and fear intermixed; but rather to make people discontented and servile; especially when such punishment is inflicted for words not by rule of law, but by a jurisdiction of discretion, which would evermore be moderately used. And I pray God, whereas Mr. Recorder, when I was with you, did well and wisely put you in mind of the admonitions you often received from my lords, that you should bridle unruly tongues; that those kind of speeches and rumours, whereunto those admonitions do refer, which are concerning the state and honour thereof, do not pass too licentiously in the city unpunished; while these words which concern your particular, are so straitly enquired into, and punished with such extremity. But these things your own wisdom, first

[1] Rawley's Resuscitatio.

or last, will best represent unto you. My writing unto you at this time is, to the end, that howsoever I do take it somewhat unkindly, that my mediation prevailed no more: yet that I might preserve that farther respect that I am willing to use unto such a state, in delivering my opinion unto you freely, before I would be of counsel, or move any thing that should cross your proceedings; which, notwithstanding, in case my client can receive no relief at your hands, I must and will do; continuing, nevertheless, in other things, my wonted good affections to yourselves and your occasions.

CVIII. TO SIR VINCENT SKINNER[1].

SIR VINCENT SKINNER,[2]

I SEE that by your needless delays, this matter is grown to a new question; wherein for the matter itself, if it had been stayed at the beginning by my lord Treasurer and Mr. Chancellor, I should not so much have stood upon it. For the great and daily travels which I take in his majesty's service, either are rewarded in themselves, in that they are but my duty, or else may deserve a much greater matter. Neither can I think amiss of any man, that in furtherance of the King's benefit moved the doubt, that knew not what warrant I had. But my wrong is, that you having had my lord Treasurer's and Mr. Chancellor's warrant for payment above a month since; you, I say, making your payments, belike upon such differences, as are better known to yourself, than agreeable to the respect of his majesty's service, have delayed all this time, otherwise than I might have expected from our ancient acquaintance, or from that regard which one in your place may owe to one in mine. By occasion whereof there ensueth to me a greater inconvenience, that now my name in sort must be in question amongst you, as if I were a man likely to demand that which were unreasonable, or be denied that which is reasonable: and this must be, because you can plea-

[1] Stephens's First Collection, p. 53.

[2] Officer of the receipts of the exchequer. *Rymer*, XVI. p. 497.

sure men at pleasure. But this I leave with this: that it is the first matter wherein I had occasion to discern of your friendship, which I see to fall to this; that whereas Mr. Chancellor, the last time, in my man's hearing, very honourably said, that he would not discontent any man in my place; it seems you have no such caution. But my writing to you now is to know of you where now the stay is, without being any more beholden to you, to whom indeed no man ought to be beholden in those cases in a right cause. And so I bid you farewel.

FR. BACON.

CIX. [1] TO SIR HENRY SAVILLE [2].

SIR,

COMING back from your invitation at Eton, where I had refreshed myself with company which I loved, I fell into a consideration of that part of policy, whereof philosophy speaketh too much, and laws too little; and that is, of education of youth. Whereupon fixing my mind a while, I found straightways, and noted even in the discourses of philosophers, which are so large in this argument, a strange silence concerning one principal part of that subject. For as touching the framing and seasoning of youth to moral virtues, as tolerance of labours, continency from pleasures, obedience, honour, and the like, they handle it; but touching the improvement, and helping of the intellectual powers, as of conceit, memory, and judgment, they say nothing: whether it were, that they thought it to be a matter wherein nature only prevailed; or that they intended it as referred to the several and proper arts which teach the use of reason and speech. But for the former of these two reasons,

[1] Sir Henry Saville, so justly celebrated for his noble edition of St. Chrysostom and other learned works, was many years warden of Merton college in Oxford, in which university he founded a geometry and astronomy lecture, 25 May, 1620. See the instrument of foundation, *Rymer* XVI. p. 217, and likewise provost of Eton. To this gentleman, as of all the most proper, Sir Francis Bacon sends this discourse touching "Helps for the intellectual Powers in Youth;" but being an imperfect essay to incite others, he places this useful subject among the deficients reckoned up in his "Advancement of Learning." *Stephens.*

[2] Stephens's First Collection, p. 54.

howsoever it pleaseth them to distinguish of habits and powers, the experience is manifest enough, that the motions and faculties of the wit and memory may be not only governed and guided, but also confirmed and enlarged by custom and exercise duly applied: as if a man exercise shooting, he shall not only shoot nearer the mark, but also draw a stronger bow. And as for the latter, of comprehending these precepts within the arts of logic and rhetoric, if it be rightly considered, their office is distinct altogether from this point; for it is no part of the doctrine of the use or handling of an instrument, to teach how to whet or grind the instrument to give it a sharp edge, or how to quench it, or otherwise whereby to give it a stronger temper. Wherefore finding this part of knowledge not broken, I have, but "tanquam aliud agens," entered into it, and salute you with it; dedicating it, after the ancient manner, first as to a dear friend, and then as to an apt person, forasmuch as you have both place to practise it, and judgment and leisure to look deeper into it than I have done. Herein you must call to mind Ἄριστον μὲν ὕδωρ. Though the argument be not of great height and dignity, nevertheless it is of great and universal use: and yet I do not see why, to consider it rightly, that should not be a learning of height, which teacheth to raise the highest and worthiest part of the mind. But howsoever that be, if the world take any light and use by this writing, I will the gratulation be to the good friendship and acquaintance between us two: and so I commend you to God's divine protection.

A DISCOURSE TOUCHING THE HELPS FOR INTELLECTUAL POWERS.

I DID ever hold it for an insolent and unlucky saying, "Faber quisque fortunæ suæ;" except it be uttered only as an hortative or spur to correct sloth. For otherwise, if it be believed as it soundeth, and that a man entereth into an high imagination that he can compass and fathom all accidents; and ascribeth all successes to his drifts and reaches; and the contrary to his errors and sleepings: it is commonly seen that the evening

fortune of that man is not so prosperous, as of him that without slackening of his industry attributeth much to felicity and providence above him. But if the sentence were turned to this, "Faber quisque ingenii sui," it were somewhat more true, and much more profitable; because it would teach men to bend themselves to reform those imperfections in themselves which now they seek but to cover, and to attain those virtues and good parts which now they seek but to have only in shew and demonstration. Yet notwithstanding every man attempteth to be of the first trade, of carpenters, and few bind themselves to the second; whereas nevertheless the rising in fortune seldom amendeth the mind; but on the other side, the removing of the stonds and impediments of the mind doth often clear the passage and current to a man's fortune. But certain it is, whether it be believed or no, that as the most excellent of metals, gold, is of all others the most pliant and most induring to be wrought; so of all living and breathing substances, the perfectest man is the most susceptible of help, improvement, impression, and alteration; and not only in his body, but in his mind and spirit; and there again not only in his appetite and affection, but in his powers of wit and reason.

For as to the body of man, we find many and strange experiences, how nature is over-wrought by custom, even in actions that seem of most difficulty and least possible. As first in voluntary motion, which though it be termed voluntary, yet the highest degrees of it are not voluntary; for it is in my power and will to run; but to run faster than according to my lightness or disposition of body, is not in my power nor will. We see the industry and practice of tumblers and funambulos, what effects of great wonder it bringeth the body of man unto. So for suffering of pain and dolour, which is thought so contrary to the nature of man, there is much example of penances in strict orders of superstition what they do endure, such as may well verify the report of the Spartan boys, which were wont to be scourged upon the altar so bitterly as sometimes they died of it, and yet were never heard to complain. And to pass to those facult

which are reckoned more involuntary, as long fasting and abstinence, and the contrary extreme, voracity; the leaving and forbearing the use of drink for altogether; the enduring vehement cold, and the like; there have not wanted, neither do want, divers examples of strange victories over the body in every of these. Nay, in respiration, the proof hath been of some who by continual use of diving and working under the water, have brought themselves to be able to hold their breath an incredible time; and others that have been able, without suffocation, to endure the stifling breath of an oven or furnace so heated as though it did not scald nor burn, yet it was many degrees too hot for any man not made to it to breathe or take in. And some impostors and counterfeits likewise have been able to wreathe and cast their bodies into strange forms and motions; yea, and others to bring themselves into trances and astonishments. All which examples do demonstrate how variously and to how high points and degrees the body of man may be as it were molded and wrought. And if any man conceive that it is some secret propriety of nature that hath been in those persons which have attained to those points, and that it is not open for every man to do the like, though he had been put to it; for which cause such things come but very rarely to pass: it is true no doubt but some persons are apter than others; but so as the more aptness causeth perfection, but the less aptness doth not disable: so that, for example, the more apt child, that is taken to be made a funambulo, will prove more excellent in his feats; but the less apt will be *gregarius funambulo* also. And there is small question, but that these abilities would have been more common, and others of like sort, not attempted, would likewise have been brought upon the stage, but for two reasons: the one, because of mens diffidence in prejudging them as impossibilities; for it holdeth in those things which the poet saith, "possunt, quia posse videntur;" for no man shall know how much may be done except he believe much may be done. The other reason is, because they be but practices base and inglorious, and of no great use, and therefore sequestered from reward

of value, and on the other side painful; so as the recompence balanceth not with the travel and suffering. And as to the will of man, it is that which is most maniable and obedient; as that which admitteth most medicines to cure and alter it. The most sovereign of all is religion, which is able to change and transform it in the deepest and most inward inclinations and motions, and next to that is opinion and apprehension, whether it be infused by tradition and institution, or wrought in by disputation and persuasion; and the third is example, which transformeth the will of man into the similitude of that which is most observant and familiar towards it; and the fourth is, when one affection is healed and corrected by another, as when cowardice is remedied by shame and dishonour, or sluggishness and backwardness by indignation and emulation, and so of the like; and lastly, when all these means or any of them have new-framed or formed human will, then doth custom and habit corroborate and confirm all the rest. Therefore it is no marvel, though this faculty of the mind, of will and election, which inclineth affection and appetite, being but the inceptions and rudiments of will, may be so well governed and managed; because it admitteth access to so divers remedies to be applied to it, and to work upon it: the effects whereof are so many and so known, as require no enumeration; but generally they do issue, as medicines do, into two kinds of cures, whereof the one is a just or true cure, and the other is called palliation: for either the labour and intention is to reform the affections really and truly, restraining them if they be too violent, and raising them if they be too soft and weak; or else it is to cover them, or, if occasion be, to pretend them and represent them: of the former sort whereof the examples are plentiful in the schools of philosophers, and in all other institutions of moral virtue: and of the other sort the examples are more plentiful in the courts of princes, and in all politic traffic; where it is ordinary to find, not only profound dissimulations, and suffocating the affections, that no note or mark appear of them outwardly; but also lively simulations and affectations, carrying the tokens of passions which are not, as *risus jussus* and *lacrymæ coactæ*, and the like.

OF HELPS OF THE INTELLECTUAL POWERS.

THE intellectual powers have fewer means to work upon them, than the will or body of man; but the one that prevaileth, that is exercise, worketh more forcibly in them than in the rest.

[1] The ancient habit of the philosophers, "Si quis quærat in utramque partem de omni scibili."

The exercise of scholars making verses extempore, "Stans pede in uno."

The exercise of lawyers in memory narrative.

The exercise of sophists, and "Jo. ad oppositum," with manifest effect.

Artificial memory greatly holpen by exercise.

The exercise of buffoons to draw all things to conceits ridiculous.

The means that help the understanding and faculties thereof are,

(Not example, as in the will, by conversation; and here the conceit of imitation already digested, with the confutation "obiter si videbitur," of Tully's opinion, advising a man to take some one to imitate. Similitude of faces analysed.)

Arts, Logic, Rhetoric: The ancients, Aristotle, Plato, Theætetus, Gorgias "litigiosus vel sophista," Protagoras, Aristotle, "schola sua." Topics, Elenchs, Rhetorics, Organon, Cicero, Hermogenes. The Neoterics, Ramus, Agricola. "Nil sacri;" Lullius his Typocosmia, studying Cooper's Dictionary, Matthæus collection of proper words for metaphors, Agrippa "de vanitatibus, etc."

Que. If not here of imitation.

Collections preparative. Aristotle's similitude of a shoemaker's shop, full of shoes of all sorts: Demosthenes, "Exordia concionum." Tully's precept of theses of all sorts preparative.

The relying upon exercise, with the difference of using and tempering the instrument; and the similitude of prescribing against the laws of nature and of estate.

Five Points.

[1] These that follow are but indigested notes.

1. That exercises are to be framed to the life; that is to say, to work ability in that kind whereof a man in the course of action shall have most use.

2. The indirect and oblique exercises; which do, *per partes* and *per consequentiam*, inable these faculties; which perhaps direct exercise at first would but distort; and these have chiefly place where the faculty is weak, not *per se*, but *per accidens*: as if want of memory grow through lightness of wit and want of staid attention; then the mathematics or the law helpeth; because they are things, wherein if the mind once roam, it cannot recover.

3. Of the advantages of exercise; as to dance with heavy shoes, to march with heavy armour and carriage; and the contrary advantage, in natures very dull and unapt, of working alacrity, by framing an exercise with some delight or affection.

Ut pueris olim dant crustula blandi
Doctores, elementa velint ut discere prima.[1]

4. Of the cautions of exercise; as to beware lest by evil doing, as all beginners do weakly, a man grow not, and be inveterate, in an ill habit, and so take not the advantage of custom in perfection, but in confirming ill. Slubbering on the lute.

5. The marshalling and sequel of sciences and practices; logic and rhetoric should be used to be read after poesy, history, and philosophy; first, exercise, to do things well and clean; after, promptly and readily.

The exercises in the universities and schools are of memory and invention; either to speak by heart that which is set down *verbatim*, or to speak *extempore*: whereas there is little use in action of either or both; but most things which we utter are neither verbally premeditate, nor merely extemporal. Therefore exercise would be framed to take a little breathing, and to consider of heads; and then to fit and form the speech *extempore*. This would be done in two manners; both with writing and tables, and without: for in most ac-

[1] Horat. Sat. I. i. 25.

tions it is permitted and passable to use the note, whereunto if a man be not accustomed, it will put him out.

There is no use of a narrative memory *in academiis*, namely, with circumstances of times, persons, and places, and with names; and it is one art to discourse, and another to relate and describe; and herein use and action is most conversant.

Also to sum up and contract, is a thing in action of very general use.

CX. SIR FRANCIS BACON TO MR. MATTHEW, ABOUT HIS WRITINGS, AND THE DEATH OF A FRIEND[1].

SIR,

THE reason of so much time taken before my answer to yours of the fourth of August, was chiefly by accompanying my letter with the paper which here I send you; and again, now lately, not to hold from you till the end of a letter, that which by grief may, for a time, efface all the former contents, the death of your good friend and mine A. B. to whom because I used to send my letters for conveyance to you, it made me so much the more unready in the dispatch of them. In the mean time I think myself, howsoever it hath pleased God otherwise to bless me, a most unfortunate man, to be deprived of two, a great number in true friendship, of those friends, whom I accounted as no stage-friends, but private friends, and such, as with whom I might both freely and safely communicate, him by death, and you by absence. As for the memorial of the late deceased queen, I will not question whether you be to pass for a disinterested man or no; I freely confess myself am not, and so I leave it. As for my other writings, you make me very glad of your approbation; the rather, because you add a concurrence in opinion with others; for else I might have conceived, that affection would, perhaps, have prevailed with you, beyond that, which, if your judgment had been neat and free, you could have esteemed. And as for your caution, touching the dignity of ecclesiastical persons, I shall not

[1] Sir Tobie Matthew's Collection of Letters, p. 23.

have cause to meet with them any otherwise, than in that some schoolmen have, with excess, advanced the authority of Aristotle. Other occasion I shall have none. But now I have sent you that only part of the whole writing, which may perhaps have a little harshness and provocation in it: although I may almost secure myself, that if the preface passed so well, this will not irritate more, being indeed, to the preface, but as *palma ad pugnum.* Your own love expressed to me, I heartily embrace; and hope that there will never be occasion of other, than intireness between us; which nothing but *majores charitates* shall ever be able to break off.

INTERROGATORIES WHEREUPON PEACHAM IS TO BE EXAMINED.

QUESTIONS IN GENERAL [1].

1. WHO procured you, moved you, or advised you, to put in writing these traiterous slanders which you have set down against his majesty's person and government, or any of them?

2. Who gave you any advertisement or intelligence touching those particulars which are contained in your writings; as touching the sale of the crown lands, the deceit of the king's officers, the greatness of the king's gifts, his keeping divided courts, and the rest; and who hath conferred with you, or discoursed with you, concerning these points?

3. Whom have you made privy and acquainted with the said writings, or any part of them? and who hath been your helpers or confederates therein?

4. What use mean you to make of the said writings? was it by preaching them in sermon, or by publishing them in treatise? if, in sermon, at what time, and in what place meant you to have preached them? if, by treatise, to whom did you intend to dedicate, or exhibit, or deliver such treatise?

[1] Sir David Dalrymple's Memorials and Letters relating to the history of Great Britain in the reign of James the First, p. 26. Edit. Glasgow. 1762.

5. What was the reason, and to what end did you first set down in scattered papers, and after knit up, in form of a treatise or sermon, such a mass of treasonable slanders against the king, his posterity, and the whole state?

6. What moved you to write, the king might be stricken with death on the sudden, or within eight days, as Ananias or Nabal? do you know of any conspiracy or danger to his person, or have you heard of any such attempt?

7. You have confessed that these things were applied to the King; and that, after the example of preachers and chroniclers, Kings infirmities are to be laid open; this sheweth plainly your use must be to publish them: shew to whom and what manner.

8. What was the true time when you wrote the said writings, or any part of them? and what was the last time you looked upon them, or perused them before they were found or taken?

9. What moved you to make doubt whether the people will rise against the King for taxes and oppressions? Do you know, or have you heard, of any likelihood or purpose of any tumults or commotion?

10. What moved you to write, That getting of the crown-land again would cost blood, and bring men to say, This is the heir, let us kill him? Do you know, or have you heard of any conspiracy or danger to the prince, for doubt of calling back the crown-land?

11. What moved you to prove, that all the King's officers mought be put to the sword? Do you know, or have you heard of any petition is intended to be made against the King's council and officers, or any rising of people against them?

12. What moved you to say in your writing, That our King, before his coming to the kingdom, promised mercy and judgment, but we find neither? What promise do you mean of, and wherein hath the King broke the same promise?

There follows in the hand-writing of Secretary Winwood,

Upon those interrogatories, Peacham this day was examined before torture, in torture, between torture, and

after torture; notwithstanding, nothing could be drawn from him, he still persisting in his obstinate and insensible denials, and former answers.

January the 19th, 1614.

RAPHE WINWOOD, GERVASE HELWYSSE,
JUL. CÆSAR, RAN. CREWE,
FR. BACON, HENRY YELVERTON,
H. MOUNTAGUE, FR. COTTINGTON.

CXI. TO THE KING, CONCERNING PEACHAM'S CAUSE [1].

IT MAY PLEASE YOUR EXCELLENT MAJESTY,

IT grieveth me exceedingly that your majesty should be so much troubled with this matter of Peacham, whose raging devil seemeth to be turned into a dumb devil. But although we are driven to make our way through questions, which I wish were otherwise, yet, I hope well, the end will be good. But then every man must put to his helping hand; for else I may say to your majesty, in this and the like cases, as St. Paul said to the centurion, when some of the mariners had an eye to the cock-boat, "Except these stay in the ship ye cannot be safe." I find in my lords great and worthy care of the business: And for my part, I hold my opinion and am strengthened in it by some records that I have found. God preserve your majesty.

Your majesty' most humble and devoted subject and servant,

FR. BACON.

Jan. 21, 1614.

CXII. TO THE KING, TOUCHING PEACHAM'S CAUSE [2].

IT MAY PLEASE YOUR EXCELLENT MAJESTY,

THIS day in the afternoon was read your majesty's letters of direction touching Peacham [3]; which because

[1] Rawley's Resuscitatio. [2] Ibid.

[3] Peacham was accused of having inserted several treasonable passages in a sermon; but in a sermon never preached, nor intended to be made public: it had been taken out of his study. The King would have the judges give their opinion of this affair privately and apart; which my lord Coke refused to do, as a thing of dangerous ten-

it concerneth properly the duty of my place, I thought it fit for me to give your majesty both a speedy and a private account thereof; that your majesty, knowing things clearly how they pass, may have the true fruit of your own wisdom and clear-seeing judgment in governing the business.

First, for the regularity which your majesty, as a master in business of estate, doth prudently prescribe in examining and taking examinations, I subscribe to it; only I will say for myself, that I was not at this time the principal examiner.

For the course your majesty directeth and commandeth for the feeling of the judges of the King's Bench, their several opinions, by distributing ourselves and enjoining secrecy; we did first find an encounter in the opinion of my lord Coke, who seemed to affirm, that such particular and, as he called it, auricular taking of opinions was not according to the custom of this realm; and seemed to divine, that his brethren would never do it. But when I replied, that it was our duty to pursue your majesty's directions, and it were not amiss for his lordship to leave his brethren to their own answers; it was so concluded: and his lordship did desire that I might confer with himself; and Mr. Serjeant Montague was named to speak with Justice Crook; Mr. Serjeant Crew with Justice Houghton; and Mr. Solicitor with Justice Dodderidge [1]. This done, I took my fellows aside, and advised that they should presently speak with the three judges, before I could speak with my lord Coke, for doubt of infusion; and that they should not in any case make any doubt to the judges, as if they mistrusted they would not deliver any opinion apart, but speak resolutely to

dency. Peacham was found guilty of high treason; as was Algernon Sidney for the like crime, in Charles the second's time.

[1] Sir John Dodderidge was born in Devonshire, and successively admitted in Exeter college, Oxford, and the Middle Temple, London: where having acquired the reputation of being a very great common and civil lawyer, as well as a general scholar, he was made serjeant at law 1 Jacobi, then the King's solicitor, and after that the King's serjeant, till he was advanced to be one of the judges of the King's Bench; where he sat many years. He died 13 Sept. 1628, in the 73d year of his age, and was succeeded by Sir George Crook, who tells us, Sir John Dodderidge was a man of great knowledge, as well in the common law, as in other sciences, and divinity.—*Stephens.*

them, and only make their coming to be, to know what time they would appoint to be attended with the papers. This sorted not amiss; for Mr. Solicitor came to me this evening, and related to me that he had found Judge Dodderidge very ready to give opinion in secret; and fell upon the same reason which upon your majesty's first letter I had used to my lord Coke at the council-table: which was, that every judge was bound expressly by his oath, to give your majesty counsel when he was called; and whether he should do it jointly or severally, that rested in your majesty's good pleasure, as you would require it. And though the ordinary course was to assemble them, yet there might intervene cases, wherein the other course was more convenient. The like answer made Justice Crook[1]. Justice Houghton, who is a

[1] Sir John Crook, eldest son of John Crook, of Chilton in Buckinghamshire, inherited his father's virtues and fortunes; and was very famous for his wisdom, eloquence, and knowledge in our laws: who being Speaker in the house of commons in the last parliament of queen Elizabeth, had from her this commendation at the end thereof; that he had proceeded therein with such wisdom and discretion, that none before him had deserved better. After he had been recorder of London, and serjeant at law, he was 5 Jacobi made one of the justices of the king's bench; where he continued till his death, 23 Jan. 1619. He was brother to Sir George Crook, so well known to the professors of the common law by his three large volumes of reports: which Sir George was one f the judges of the court of common pleas, in the latter end of the reign of king James, and in a few years after removed into the king's bench; where he sat till the year 1641, when by reason of his great age and infirmities, the king at his own request gave him a gracious discharge, as appears in the preface to one of his books, where a due character is given of his virtues by his son-in-law Sir Harbottle Grimston, late master of the rolls. But certainly nothing can raise in us a more lively idea of his merit, than part of a letter written to the duke of Buckingham, by the bishop of Lincoln, lord keeper of the great seal, which I copied from his own hand.

"Westminster coll. Feb. 11, 1624.

"May it please your Grace,

"I will not trouble your grace with any long congratulation, for the honour your grace hath gained, in the preferring of this most worthy man Sir George Crook to a judge his place. I know you must meet with the applause of this act from every man that cometh from hence. In good faith I never observed in all my small experience any accident in this kind, so generally and universally accompanied with the acclamation of all kind of people.

"I am importuned, by the rest of the judges of the common pleas, to return their most humble and hearty thanks to the king's majesty for his choice, and to assure his majesty; that though his majesty hath been extraordinary fortunate, above all his predecessors, in the continual election of most worthy judges; yet hath his majesty never placed upon any bench a man of more integrity and sufficiency than

soft man[1], seemed desirous first to confer; alledging that the other three judges had all served the crown before they were judges, but that he had not been much acquainted with business of this nature.

We purpose therefore forthwith, they shall be made acquainted with the papers; and if that could be done as suddenly as this was, I should make small doubt of their opinions: and howsoever, I hope, force of law and precedent will bind them to the truth: neither am I wholly out of hope, that my lord Coke himself, when I have in some dark manner put him in doubt that he shall be left alone, will not continue singular.

For Owen, I know not the reason why there should have been no mention made thereof in the last advertisement: for I must say for myself, that I have lost no moment of time in it, as my lord of Canterbury can bear me witness. For having received from my lord an additional of great importance; which was, that Owen of his own accord after examination should compare the case of your majesty, if you were excommunicate, to the case of a prisoner condemned at the bar; which additional was subscribed by one witness; but yet I perceived it was spoken aloud, and in the hearing of others; I presently sent down a copy thereof, which is now come up, attested with the hands of three more, lest there should have been any scruple of *singularis testis;* so as for this case I may say, *omnia parata;* and we expect but a direction from your majesty for the acquainting the judges severally; or the four judges of the king's bench, as your majesty shall think good.

I forget not, nor forslow not, your majesty's commandment touching recusants; of which, when it is ripe, I will give your majesty a true account, and what is possible to be done, and where the impediment is. Mr. Secretary bringeth *bonam voluntatem*, but he is not

this gentleman: for which act they do with tears in their eyes praise and bless him." *Stephens.*

[1] This expression is to be understood in a favourable sense, since Sir George Crook gives a more than ordinary character of him. *Mem.* That in Hilary term, 21 Jac. Sir Robert Houghton died at Serjeants-Inn in Chancery-lane, being a most reverend, prudent, learned, and temperate judge, and inferior to none of his time. *Stephens.*

versed in these things: and sometimes urgeth the conclusion without the premises, and by haste hindereth. It is my lord treasurer, and the exchequer must help it, if it be holpen. I have heard more ways than one, of an offer of 20,000*l. per annum*, for farming the penalties of recusants, not including any offence capital or of *præmunire;* wherein I will presume to say, that my poor endeavours, since I was by your great and sole grace your attorney, have been no small spurs to make them feel your laws, and seek this redemption; wherein I must also say, my lord Coke hath done his part. And I do assure your majesty, I know it somewhat inwardly and groundedly, that by the courses we have taken they conform daily and in great numbers; and I would to God it were as well a conversion as a conformity: but if it should die by dispensation or dissimulation, then I fear that whereas your majesty hath now so many ill subjects poor and detected, you shall then have them rich and dissembled. And therefore I hold this offer very considerable of so great an increase of revenue: if it can pass the fiery trial of religion and honour, which I wish all projects may pass.

Thus, in as much as I have made to your majesty somewhat a naked and particular account of business, I hope your majesty will use it accordingly. God preserve your majesty.

Your Majesty's most humble and devoted subject and servant,

Jan. 27, 1614. FR. BACON.

CXIII. TO THE KING, REPORTING THE STATE OF LORD CHANCELLOR ELLESMERE'S HEALTH[1].

IT MAY PLEASE YOUR EXCELLENT MAJESTY,

BECAUSE I know your majesty would be glad to hear how it is with my lord chancellor; and that it pleased him out of his ancient and great love to me, which many times in sickness appeareth most, to admit me to a great deal of speech with him this afternoon, which during

[1] Rawley's Resuscitatio.

these three days he had scarcely done to any, I thought it might be pleasing to your majesty to certify you how I found him. I found him in bed, but his spirits fresh and good, speaking stoutly, and without being spent or weary; and both willing and beginning of himself to speak, but wholly of your majesty's business; wherein I cannot forget to relate this particular; that he wished that his sentencing of O. S.[1] at the day appointed might be his last work, to conclude his services, and express his affection towards your majesty. I told him, I knew your majesty would be very desirous of his presence that day, so it might be without prejudice; but otherwise your majesty esteemed a servant more than a service, especially such a servant. Not to trouble your majesty, though good spirits in sickness be uncertain kalendars, yet I have very good comfort of him, and I hope by that day, etc.

Jan. 29, 1614.

CXIV. TO THE KING, TOUCHING PEACHAM'S BUSINESS[2], ETC.

IT MAY PLEASE YOUR EXCELLENT MAJESTY,

I RECEIVED this morning, by Mr. Murray, a message from your majesty, of some warrant and confidence that I should advertise your majesty of your business, wherein I had part: wherein I am first humbly to thank your majesty for your good acceptation of my endeavours and service, which I am not able to furnish with any other quality, save faith and diligence.

For Peacham's case, I have, since my last letter, been with my lord Coke twice; once before Mr. Secretary's going down to your majesty, and once since, which was yesterday: at the former of which times I delivered him Peacham's papers: and at this latter the precedents, which I had with care gathered and selected: for these degrees and order the business required.

At the former I told him that he knew my errand, which stood upon two points; the one to inform him of

[1] Mr. Oliver St. John. [2] Rawley's Resuscitatio.

the particular case of Peacham's treasons, for I never give it other word to him, the other, to receive his opinion to myself, and in secret, according to my commission from your majesty.

At the former time he fell upon the same allegation which he had begun at the council-table; that judges were not to give opinion by fractions, but entirely according to the vote whereupon they should settle upon conference: and that this auricular taking of opinions, single and apart, was new and dangerous; and other words more vehement than I repeat.

I replied in civil and plain terms, that I wished his lordship, in my love to him, to think better of it; for that this, that his lordship was pleased to put into great words, seemed to me and my fellows, when we spake of it amongst ourselves, a reasonable and familiar matter, for a king to consult with his judges, either assembled or selected, or one by one. And then to give him a little out-let to save his first opinion, wherewith he is most commonly in love, I added, that judges sometimes might make a suit to be spared for their opinion, till they had spoken with their brethren; but if the king, upon his own princely judgment, for reason of estate, should think it fit to have it otherwise, and should so demand it, there was no declining: nay, that it touched upon a violation of their oath, which was to counsel the king, without distinction whether it were jointly or severally. Thereupon, I put him the case of the privy council, as if your majesty should be pleased to command any of them to deliver their opinion apart and in private; whether it were a good answer to deny it, otherwise than if it were propounded at the table. To this he said, that the cases were not alike, because this concerned life. To which I replied, that questions of estate might concern thousands of lives, and many things more precious than the life of a particular; as war, and peace, and the like.

To conclude, his lordship "tanquam exitum quærens," desired me for the time to leave with him the papers, without pressing him to consent to deliver a private opinion till he had perused them. I said I would; and the more willingly, because I thought his lordship, upon

due consideration of the papers, would find the case to be so clear a case of treason, as he would make no difficulty to deliver his opinion in private; and so I was persuaded of the rest of the judges of the king's bench, who likewise, as I partly understood, made no scruple to deliver their own opinion in private; whereunto he said, which I noted well, that his brethren were wise men, and that they might make a shew as if they would give an opinion, as was required; but the end would be, that it would come to this: they would say, they doubted of it, and so pray advice with the rest. But to this I answered, that I was sorry to hear him say so much, lest, if it came so to pass, some that loved him not might make a construction, that that which he had foretold, he had wrought. Thus your majesty sees, that, as Solomon saith, "Gressus nolentis tanquam in sepi spinarum," it catcheth upon every thing.

The latter meeting is yet of more importance; for then, coming armed with divers precedents, I thought to set in with the best strength I could, and said, that before I descended to the record, I would break the case to him thus: That it was true we were to proceed upon the ancient statute of King Edward the third, because other temporary statutes were gone; and therefore it must be said in the indictment, "Imaginatus est et compassavit mortem et finalem destructionem domini regis:" then must the particular treasons follow in this manner, namely, "Et quod ad perimplendum nefandum propositum suum, composuit et conscripsit quendam detestabilem et venenosum libellum, sive scriptum, in quo, inter alia proditoria, continetur, etc." And then the principal passages of treason, taken forth of the papers, are to be entered *in hæc verba;* and with a conclusion in the end, "Ad intentionem quod ligeus populus et veri subditi domini regis cordialem suum amorem a domino rege retraherent, et ipsum dominum regem relinquerent, et guerram et insurrectionem contra eum levarent et facerent, etc." I have in this form followed the ancient stile of the indictments for brevity sake, though when we come to the business itself, we shall enlarge it according to the use of the later times. This I represented to him, be-

ing a thing he is well acquainted with, that he might perceive the platform of that was intended, without any mistaking or obscurity. But then I fell to the matter itself, to lock him in as much as I could, namely,

That there be four means or manners, whereby the death of the king is compassed and imagined.

The first by some particular fact or plot.

The second, by disabling his title; as by affirming, that he is not lawful king: or that another ought to be king; or that he is an usurper; or a bastard; or the like.

The third, by subjecting his title to the pope; and thereby making him of an absolute king a conditional king.

The fourth, by disabling his regiment, and making him appear to be incapable or indign to reign.

These things I relate to your majesty in sum, as is fit: which, when I opened to my lord, I did insist a little more upon, with more efficacy and edge, and authority of law and record than I can now express.

Then I placed Peacham's treason within the last division, agreeable to divers precedents, whereof I had the records ready; and concluded, that your majesty's safety and life and authority was thus by law insconsed and quartered; and that it was in vain to fortify on three of the sides, and so leave you open on the fourth.

It is true, he heard me in a grave fashion more than accustomed, and took a pen and took notes of my divisions; and when he read the precedents and records, would say, This you mean, falleth within your first, or your second, division. In the end I expressly demanded his opinion, as that whereto both he and I were enjoined. But he desired me to leave the precedents with him, that he might advise upon them. I told him, the rest of my fellows would dispatch their part, and I should be behind with mine; which I persuaded myself your majesty would impute rather to his backwardness than my negligence. He said, as soon as I should understand that the rest were ready, he would not be long after with his opinion.

For Mr. St. John, your Majesty knoweth, the day

draweth on; and my lord Chancellor's recovery, the season, and his age, promising not to be too hasty. I spake with him on Sunday, at what time I found him in bed, but his spirits strong, and not spent or wearied, and spake wholly of your business, leading me from one matter to another; and wished and seemed to hope, that he might attend the day for O. S. and it were, as he said, to be his last work to conclude his services, and express his affection towards your majesty. I presumed to say to him, that I knew your majesty would be exceeding desirous of his being present that day, so as that it might be without prejudice to his continuance; but that otherwise your majesty esteemed a servant more than a service, especially such a servant. Surely in mine opinion your majesty were better put off the day than want his presence, considering the cause of the putting off is so notorious; and then the capital and the criminal may come together the next term.

I have not been unprofitable in helping to discover and examine, within these few days, a late patent, by surreption obtained from your majesty, of the greatest forest in England, worth 30,000*l*, under colour of a defective title, for a matter of 400*l*. The person must be named, because the patent must be questioned. It is a great person, my lord of Shrewsbury; or rather, as I think, a greater than he, which is my lady of Shrewsbury [1]. But

[1] That she was a woman of intrigue, and, as Camden says in his Annals of King James, "rebus turbandis nata," will appear from her conduct relating to the King's and her kinswoman the lady Arabella: for having been the great instrument of her marriage with Sir William Seymour, afterwards earl and marquis of Hertford, and of procuring her escape from the Tower; she was convened before the privy council, for refusing to give any answer in a matter which so nearly concerned the state, she was fined in the star-chamber: and the charge which was then given against her, printed in the Cabala, p. 369, was, I doubt not, says Mr. Stephens, made by Sir Francis Bacon. But as if this was not a sufficient warning, she afterwards reported that the lady Arabella left a child by her husband; for which and her repeated obstinacy she incurred a greater censure in the same court. That charge, whether Sir Francis Bacon's or not, is as follows:

Your lordships do observe the nature of this charge: my lady of Shrewsbury, a lady wise, and that ought to know what duty requireth, is charged to have refused, and to have persisted in refusal to answer, and to be examined in a high cause of state: being examined by the council-table, which is a representative body of the *king*. The nature of the cause, upon which she was examined, is an essential point,

I humbly pray your majesty to know this first from my lord treasurer, who methinks groweth even studious in your business. God preserve your majesty.

Your majesty's most humble and devoted subject and servant,

FR. BACON.

Jan. 31, 1614.

The rather, in regard to Mr. Murray's absence, I humbly pray your majesty to have a little regard to this letter.

which doth aggravate and increase this contempt and presumption; and therefore of necessity with that we must begin.

How graciously and parent-like his majesty used the lady Arabella before she gave him cause of indignation, the world knoweth.

My lady notwithstanding, extremely ill-advised, transacted the most weighty and binding part and action of her life, which is her marriage, without acquainting his majesty; which had been a neglect even to a mean parent: but being to our sovereign, and she standing so near to his majesty as she doth, and then choosing such a condition as it pleased her to choose, all parties laid together, how dangerous it was, my lady might have read it in the fortune of that house wherewith she is matched; for it was not unlike the case of Mr. Seymour's grandmother.

The king nevertheless so remembered he was a king, as he forgot not he was a kinsman, and placed her only "sub libera custodia."

But now did my lady accumulate and heap up this offence with a far greater than the former, by seeking to withdraw herself out of the king's power into foreign parts.

That this flight or escape into foreign parts might have been seed of trouble to this state, is a matter whereof the conceit of a vulgar person is not uncapable.

For although my lady should have put on a mind to continue her loyalty, as nature and duty did bind her; yet when she was in another sphere, she must have moved in the motion of that orb, and not of the planet itself: and God forbid the king's felicity should be so little, as he should not have envy and enviers enough in foreign parts.

It is true, if any foreigner had wrought upon this occasion, I do not doubt but the intent would have been, as the prophet saith, "they have conceived mischief, and brought forth a vain thing." But yet your lordships know that it is wisdom in princes, and it is a watch they owe to themselves and to their people, to stop the beginnings of evils, and not to despise them. Seneca saith well, "Non jam amplius levia sunt pericula, si levia videantur;" dangers cease to be light, because by despising they grow and gather strength.

And accordingly hath been the practice both of the wisest and stoutest princes to hold for matter pregnant of peril, to have any near them in blood to fly into foreign parts. Wherein I will not wander; but take the example of king Henry the seventh, a prince not unfit to be paralleled with his majesty; I mean not the particular of Perkin Warbeck, for he was but an idol or a disguise; but the example I mean, is that of the earl of Suffolk, whom the king extorted from Philip of Austria. The story is memorable, that Philip, after the death of Isabella, coming to take possession of his kingdom of Castile, which was but matrimonial to his father-in-law Fer-

CXV. TO THE KING, TOUCHING MY LORD CHANCELLOR'S AMENDMENT, ETC[1].

IT MAY PLEASE YOUR EXCELLENT MAJESTY,

My lord chancellor sent for me to speak with me this morning, about eight of the clock. I perceive he hath now that *signum sanitatis*, as to feel better his former weakness: for it is true, I did a little mistrust that it was but a boutade of desire and good spirit, when he promised himself strength for Friday, though I was won

dinando of Aragon, was cast by weather upon the coast of Weymouth, where the Italian story saith, king Henry used him in all things else as a prince, but in one thing as a prisoner; for he forced upon him a promise to restore the earl of Suffolk that was fled into Flanders: and yet this I note was in the 21st year of his reign, when the king had a goodly prince at man's estate, besides his daughters, nay, and the whole line of Clarence nearer in title; for that earl of Suffolk was descended of a sister of Edward the fourth: so far off did that king take his aim. To this action of so deep consequence, it appeareth, you, my lady of Shrewsbury, were privy, not upon foreign suspicions or strained inferences, but upon vehement presumptions, now clear and particular testimony, as hath been opened to you; so as the king had not only reason to examine you upon it, but to have proceeded with you upon it as for a great contempt; which if it be reserved for the present, your ladyship is to understand it aright, that it is not defect of proof, but abundance of grace that is the cause of this proceeding; and your ladyship shall do well to see into what danger you have brought yourself. All offences consist of the fact which is open, and the intent which is secret; this fact of conspiring in the flight of this lady may bear a hard and gentler construction; if upon overmuch affection to your kinswoman, gentler; if upon practice or other end, harder: you must take heed how you enter into such actions; whereof if the hidden part be drawn unto that which is open, it may be your overthrow; which I speak not by way of charge, but by way of caution.

For that which you are properly charged with, you must know that all subjects, without distinction of degrees, owe to the king tribute and service, not only of their deed and hand, but of their knowledge and discovery.

If there be any thing that imports the king's service, they ought themselves undemanded to impart it; much more if they be called and examined; whether it be of their own fact or of another's, they ought to make direct answer: neither was there ever any subject brought in causes of estate to trial judicial, but first he passed examination; for examination is the entrance of justice in criminal causes; it is one of the eyes of the king's politic body; there are but two, information and examination; it may not be endured that one of the lights be put out by your example.

Your excuses are not worthy your own judgment; rash vows of lawful things are to be kept, but unlawful vows not; your own divines will tell you so. For your examples, they are some erroneous traditions. My lord of Pembroke spake somewhat that he was unlettered, and it was but when he was examined by one private counsellor, to whom he took exception: that of my lord Lumley is a fiction; the preeminences of nobility I would hold with to the last grain; but every day's expe-

[1] Rawley's Resuscitatio.

and carried with it. But now I find him well inclined to use, should I say, your liberty, or rather your interdict, signified by Mr. Secretary from your majesty. His lordship shewed me also your own letter, whereof he had told me before, but had not shewed it me. What shall I say? I do much admire your goodness for writing such a letter at such a time.

He had sent also to my lord treasurer, to desire him to come to him about that time. His lordship came; and, not to trouble your majesty with circumstances, both their lordships concluded, myself present and concurring, That it could be no prejudice to your majesty's service to put off the day for Mr. St. John [1] till the next term: the rather, because there are seven of your privy-council, which are at least *numerus* and part of the court, which are by infirmity like to be absent; that is, my lord chancellor, my lord admiral, my lord of Shrewsbury, my lord of Exeter, my lord Zouch, my lord Stanhope, and Mr. Chancellor of the duchy; wherefore they agreed to hold a council to-morrow in the afternoon for that purpose.

It is true, that I was always of opinion that it was no time lost; and I do think so the rather, because I could be content, that the matter of Peacham were first settled and put to a point. For there be perchance, that would make the example upon Mr. St. John to stand for all. For Peacham, I expect some account from my fellows this day; if it should fall out otherwise, then I hope it may not be left so. Your majesty, in your last letter, very wisely put in a disjunctive, that the judges should deliver an opinion privately, either to my lord chancellor, or to ourselves distributed: his sickness made the latter way to be taken; but the other may be re-

rience is to the contrary: nay, you may learn duty of lady Arabella herself, a lady of the blood, of an higher rank than yourself, who declining, and yet that but by request neither, to declare of your fact, yieldeth ingenuously to be examined of her own. I do not doubt but by this time you see both your own error, and the King's grace in proceeding with you in this manner.

Note. See the proclamation for apprehending the lady Arabella, and William Seymour, second son of the lord Beauchamp, dated June 4, 1611, who had made their escape the day before. *Rymer*, XVI. p. 710. *Stephens.*

[1] In 1614, a benevolence was set on foot. Mr. Oliver St. John gave his opinion publicly, that it was against law, reason, and religion; for which he was condemned in a fine of five thousand pounds, and to be imprisoned during the King's pleasure.

served with some accommodating, when we see the success of the former.

I am appointed this day to attend my lord treasurer for a proposition of raising profit and revenue by infranchising copy-holders. I am right glad to see the patrimonial part of your revenue well looked into, as well as the fiscal: and I hope it will so be in other parts as well as this. God preserve your majesty.

Your Majesty's most humble, and devoted subject and servant,

FR. BACON.

Feb. 7, 1614.

CXVI. TO THE KING, CONCERNING OWEN'S CAUSE, ETC. [1]

IT MAY PLEASE YOUR EXCELLENT MAJESTY,

MYSELF, with the rest of your counsel learned, conferred with my lord Coke, and the rest of the judges of the king's bench only, being met at my lord's chamber, concerning the business of Owen. For although it be true, that your majesty in your letter did mention that the same course might be held in the taking of opinions apart in this, which was prescribed and used in Peacham's cause; yet both my lords of the council, and we amongst ourselves, holding it, in a case so clear, not needful; but rather that it would import a diffidence in us, and deprive us of the means to debate it with the judges, if cause were, more strongly, which is somewhat, we thought best rather to use this form.

The judges desired us to leave the examinations and papers with them for some little time, to consider, which is a thing they use, but I conceive, there will be no manner of question made of it. My lord chief justice, to shew forwardness, as I interpret it, shewed us passages of Suarez and others, thereby to prove, that though your majesty stood not excommunicate by particular sentence, yet by the general bulls of *Cœna Domini*, and others, you were upon the matter excommunicate; and therefore, that the treason was as *de præsenti*. But I (that foresee that if that course should be held, when it cometh

[1] Rawley's Resuscitatio.

to a public day, to disseminate to the vulgar an opinion, that your majesty's case is all one, as if you were *de facto* particularly and expressly excommunicate; it would but increase the danger of your person with those that are desperate papists; and that it is needless) commended my lord's diligence, but withal put it by; and fell upon the other course, which is the true way, that is, that whoever shall affirm, *in diem*, or *sub conditione*, that your majesty may be destroyed, is a traytor *de præsenti*; for that he maketh you but tenant for life, at the will of another. And I put the duke of Buckingham's case, who said, that if the King caused him to be arrested of treason, he would stab him; and the case of the impostress Elizabeth Barton, that said, that if King Henry the eighth took not his wife again, Catherine dowager, he should be no longer king; and the like.

It may be these particulars are not worth the relating; but because I find nothing in the world so important to your service, as to have you thoroughly informed, the ability of your direction considered, it maketh me thus to do; most humbly praying your majesty to admonish me, if I be over troublesome.

For Peacham, the rest of my fellows are ready to make their report to your majesty, at such time, and in such manner, as your majesty, shall require it. Myself yesterday took my lord Coke aside, after the rest were gone, and told him all the rest were ready, and I was now to require his lordship's opinion, according to my commission. He said, I should have it; and repeated that twice or thrice, as thinking he had gone too far in that kind of negative, to deliver any opinion apart, before; and said, he would tell it me within a very short time, though he were not that instant ready. I have tossed this business *in omnes partes*, whereof I will give your majesty knowledge when time serveth. God preserve your majesty.

Your majesty's most humble and devoted subject and servant,

FR. BACON.

Feb. 11, 1614.

CXVII. TO THE KING, ABOUT A CERTIFICATE OF LORD CHIEF JUSTICE COKE [1].

IT MAY PLEASE YOUR EXCELLENT MAJESTY,

I SEND your majesty inclosed my lord Coke's answers; I will not call them rescripts, much less oracles. They are of his own hand, and offered to me as they are in writing; though I am glad of it for mine own discharge. I thought it my duty, as soon as I received them, instantly to send them to your majesty; and forbear, for the present, to speak farther of them. I, for my part, though this Muscovia weather be a little too hard for my constitution, was ready to have waited upon your majesty this day, all respects set aside: but my lord treasurer, in respect of the season and much other business, was willing to save me. I will only conclude touching these papers with a text, divided I cannot say, "Oportet isthæc fieri;" but I may say, "Finis autem nondum." God preserve your majesty.

Your majesty's most humble and devoted subject and servant,

FR. BACON.

14 Feb. 1614.

CXVIII. SIR FRANCIS BACON TO KING JAMES [2].

IT MAY PLEASE YOUR EXCELLENT MAJESTY,

I PERCEIVE by the bishop of Bath and Wells, that although it seemeth he hath dealt in an effectual manner with Peacham, yet he prevaileth little hitherto; for he hath gotten of him no new names, neither doth Peacham alter in his tale touching Sir John Sydenham.

Peacham standeth off in two material points *de novo*.

The one, he will not yet discover into whose hands he did put his papers touching the consistory villanies. They were not found with the other bundles upon the search; neither did he ever say that he had burned or defaced them. Therefore it is like they are in some person's hands; and it is like again, that that person that he hath trusted with those papers, he likewise trusted with these others of the treasons, I mean with the sight of them.

[1] Rawley's Resuscitatio. [2] Sir David Dalrymple's Memoirs and Letters, p. 29.

The other, that he taketh time to answer, when he is asked, whether he heard not from Mr. Paulet some such words, as, he saith he heard from Sir John Sydenham, or in some lighter manner.

I hold it fit, that myself, and my fellows, go to the Tower, and so I purpose to examine him upon these points, and some others; at the least, that the world may take notice that the business is followed as heretofore, and that the stay of the trial is upon farther discovery, according to that we give out.

I think also it were not amiss to make a false fire, as if all things were ready for his going down to his trial, and that he were upon the very point of being carried down, to see what that will work with him.

Lastly, I do think it most necessary, and a point principally to be regarded, that because we live in an age wherein no counsel is kept, and that it is true there is some bruit abroad, that the judges of the king's bench do doubt of the case, that it should not be treason: that it be given out constantly, and yet as it were a secret, and so a fame to slide, that the doubt was only upon the publication, in that it was never published, for that (if your majesty marketh it) taketh away, or at least qualifies the danger of the example; for that will be no man's case.

This is all I can do to thridd your majesty's business with a continual and settled care, turning and returning, not with any thing in the world, save only the occasions themselves, and your majesty's good pleasure.

I had no time to report to your majesty, at your being here, the business referred, touching Mr. John Murray. I find a shrewd ground of a title against your majesty and the patentees of these lands, by the coheir of Thomas earl of Northumberland; for I see a fair deed, I find a reasonable consideration for the making the said deed, being for the advancement of his daughters; for that all the possessions of the earldom were entailed upon his brother; I find it was made four years before his rebellion; and I see some probable cause why it hath slept so long. But Mr. Murray's petition speaketh only of the moiety of one of the coheirs, whereunto if your majesty should give

way, you might be prejudiced in the other moiety. Therefore, if Mr. Murray can get power of the whole, then it may be safe for your majesty to give way to the trial of the right; when the whole shall be submitted to you.

Mr. Murray is my dear friend; but I must cut even in these things, and so I know he would himself wish no other. God preserve your majesty.

Your majesty's most humble and devoted subject and servant,

Febr. the 28th, 1614. FR. BACON.

CXIX. SIR FRANCIS BACON TO KING JAMES[1].

MAY IT PLEASE YOUR MAJESTY,

I SEND your majesty inclosed a copy of our last examination of Peacham, taken the 10th of this present, whereby your majesty may perceive, that this miscreant wretch goeth back from all, and denieth his hand and all. No doubt, being fully of belief that he shall go presently down to his trial, he meant now to repeat his part which he purposed to play in the country, which was to deny all. But your majesty, in your wisdom, perceiveth, that this denial of his hand, being not possible to be counterfeited, and sworn to by Adams, and so oft by himself formerly confessed and admitted, could not mend his case before any jury in the world, but rather aggravateth it by his notorious impudence and falsehood, and will make him more odious. He never deceived me; for when others had hopes of discovery, and thought time well spent that way, I told your majesty, *percuntibus mille figuræ*, and that he did but now turn himself into divers shapes, to save or delay his punishment. And therefore submitting myself to your majesty's high wisdom, I think myself bound, in conscience, to put your majesty in remembrance, whether Sir John Sydenham shall be detained upon this man's impeaching, in whom there is no truth. Notwithstanding, that further inquiry be made of this other person, and that information and

[1] Sir David Dalrymple's Memorials and Letters, p. 32.

light be taken from Mr. Paulet and his servants, I hold it, as things are, necessary. God preserve your majesty.

Your majesty's most humble and devoted subject and servant,

March the 12th, 1614. FR. BACON.

THE EXAMINATION OF EDMUND PEACHAM AT THE TOWER, MARCH 10, 1614[1].

BEING asked, when he was last at London, and where he lodged when he was there? he saith he was last at London after the end of the last parliament, but where he lodged, he knoweth not.

Being asked, with what gentlemen, or others in London, when he was here last, he had conference and speech withal? he saith he had speech only with Sir Maurice Berkeley, and that about the petitions only, which had been before sent up to him by the people of the country, touching the apparitors and the grievances offered the people by the court of the officials.

Being asked, touching one Peacham, of his name, what knowledge he had of him, and whether he was not the person that did put into his mind divers of those traitorous passages which are both in his loose and contexted papers? he saith this Peacham, of his name, was a divine, a scholar, and a traveller; and that he came to him some years past, the certainty of the time he cannot remember, and lay at this examinate's house a quarter of a year, and took so much upon him, as he had scarce the command of his own house or study; but that he would be writing, sometimes in the church, sometimes in the steeple, sometimes in this examinate's study; and now saith farther, that those papers, as well loose as contexted, which he had formerly confessed to be of his own hand, might be of the writing of the said Peacham; and saith confidently, that none of them are his own hand-writing or inditing; but whatsoever is in his former examinations, as well before his majesty's learned council, as before my

[1] Sir David Dalrymple's Memorials and Letters, p. 34.

lord of Canterbury, and other the lords, and others of his majesty's privy council, was wholly out of fear, and to avoid torture, and not otherwise.

Being required to describe what manner of man the said Peacham that lay at his house was; he saith that he was tall of stature, and can make no other description of him, but saith, as he taketh it, he dwelleth sometimes at Honslow as a minister; for he hath seen his letters of orders and licence under the hand of Mr. D. Chatterton, sometime bishop of Lincoln. He denieth to set his hand to this examination.

Examinat' per FR. BACON, GER. HELWYSSE,
RANULPHE CREWE, H. YELVERTON.

THE TRUE STATE OF THE QUESTION WHETHER PEACHAM'S CASE BE TREASON OR NOT [1].

IN THE HAND-WRITING OF KING JAMES.

THE indictment is grounded upon the statute of Edward the third, that he compassed and imagined the king's death; the indictment then is according to the law, and justly founded. But how is it verified? First, then, I gather this conclusion, that since the indictment is made according to the prescription of law, the process is formal, the law is fulfilled, and the judge and jury are only to hearken to the verification of the hypothesis, and whether the minor be well proved or not.

That his writing of this libel is an overt act, the judges themselves do confess: that it was made fit for publication, the form of it bewrays the self; that he kept not these papers in a secret and safe façon, (manner) but in an open house and lidless cask, both himself and the messenger do confess; nay, himself confesseth, that he wrote them at the desire of another man, to whom he should have shown them when they had been perfected, and who craved an account for them, which though it be denied by the other party, worketh sufficiently against the de-

[1] Sir David Dalrymple's Memorials, p. 36.

poner himself. Nay, he confesses that in the end he meant to preach it; and though, for diminishing of his fault, he alledges, that he meant first to have taken all the bitterness out of it, that excuse is altogether absurd, for there is no other stuff in, or through it all, but bitterness, which being taken out, it must be a quintessence of an alchimy, spirit without a body, or popish accidents without a substance; and then to what end would he have published such a ghost, or shadow without a substance, *cui bono?* and to what end did he so farce (stuff) it first with venom, only to scrape it out again; but it had been hard making that sermon to have tasted well, that was once so spiced, "quo semel est imbuta recens, etc." But yet this very excuse is by himself overthrown again, confessing that he meant to retain some of the most crafty malicious parts in it, as, etc. [So the manuscript.]

The only question that remains then is, whether it may be verified and proved, that, by the publishing of this sermon or rather libel of his he compassed or imagined the king's death: which I prove he did by this reason; had he compiled a sermon upon any other ground, or stuffed the bulk of it with any other matter, and only powdered it here and there, with some passages of reprehension of the king; or had he never so bitterly railed against the king, and upbraided him of any two or three, though monstrous vices, it might yet have been some way excusable; or yet had he spued forth all the venom that is in this libel of his, in a railing speech, either in drunkenness, or upon the occasion of any sudden passion or discontentment, it might likewise have been excused in some sort; but upon the one part, to heap up all the injuries that the hearts of men, or malice of the devil, can invent against the king, to disable him utterly, not to be a king, not to be a Christian, not to be a man, or a reasonable creature, not worthy of breath here, nor salvation hereafter; and, upon the other part, not to do this hastily or rashly, but after long premeditation, first having made collections in scattered papers, and then reduced it to a method, in a formal treatise, a text chosen for the purpose, a prayer premitted, applying all his wits to bring

out of that text what he could, *in malam partem*, against the king.

This, I say, is a plain proof that he intended to compass or imagine, by this means, the king's destruction. For, will ye look upon the person or quality of the man, it was the far likeliest means he could use to bring his wicked intention to pass; his person an old, unable, and unwieldy man; his quality a minister, a preacher; and that in so remote a part of the country, as he had no more means of access to the king's person than he had ability of body, or resolution of spirit, to act such a desperate attempt with his own hands upon him; and therefore, as every creature is ablest, in their own element, either to defend themselves, or annoy their adversaries, as birds in the air, fishes in the water, and so forth, what so ready and natural means had he whereby to annoy the king as by publishing such a seditious libel? and so, under the specious pretext of conscience, to inflame the hearts of the people against him. Now, here is no illation nor inference made upon the statute, it stands *in puris naturalibus*, but only a just inference and probation of the guilty intention of this party. So the only thing the judges can doubt of, is of the delinquent's intention; and then the question will be, whether if these reasons be stronger to enforce the guiltiness of his intention, or his bare denial to clear him, since nature teaches every man to defend his life as long as he may; and whether, in case there were a doubt herein, the judges should not rather incline to that side wherein all probability lies: but if judges will needs trust better the bare negative of an infamous delinquent, without expressing what other end he could probably have, than all the probabilities, or rather infallible consequences upon the other part, caring more for the safety of such a monster, than the preservation of a crown, in all ages following, whereupon depend the lives of many millions: happy then are all desperate and seditious knaves, but the fortune of this crown is more than miserable. *Quod Deus avertat.*

CXX. TO THE KING, TOUCHING MATTER OF HIS MAJESTY'S REVENUE AND PROFIT [1].

IT MAY PLEASE YOUR MAJESTY,

I MAY remember what Tacitus saith, by occasion that Tiberius was often and long absent from Rome. "In urbe, et parva et magna negotia imperatorem simul premunt:" but, saith he, "In recessu, dimissis rebus minoris momenti, summæ rerum magnarum magis agitantur." This maketh me think it shall be no incivility to trouble your majesty with business, during your abode from London; knowing that your majesty's meditations are the principal wheel of your estate; and being warranted from a former commandment which I received from you.

I do now only send your majesty these papers inclosed, because I do greatly desire so far forth to preserve my credit with you, as thus, that whereas lately, perhaps out of too much desire, which induceth too much belief, I was bold to say, that I thought it as easy for your majesty to come out of want, as to go forth of your gallery; your majesty would not take me for a dreamer, or a projector; I send your majesty therefore some grounds of my hopes. And for that paper, which I have gathered of increasements sperate, I beseech you to give me leave to think, that if any of the particulars do fail, it will be rather for want of workmanship in those that shall deal in them, than want of materials in the things themselves. The other paper hath many discarding cards; and I send it chiefly, that your majesty may be the less surprised by projectors; who pretend sometimes great discoveries and inventions in things, that have been propounded, and, perhaps, after a better fashion, long since. God Almighty preserve your majesty.

Your majesty's most humble and devoted subject and servant,

FR. BACON.

25 April, 1615.

[1] Rawley's Resuscitatio.

CXXI. TO THE KING [1].

IT MAY PLEASE YOUR EXCELLENT MAJESTY,

MR. ST. JOHN his day is past, and well past. I hold it to be *Janus Bifrons;* it hath a good aspect to that which is past, and to the future; and doth both satisfy and prepare. All did well; my lord chief justice delivered the law for the benevolence strongly; I would he had done it timely. Mr. chancellor of the exchequer[2] spake finely, somewhat after the manner of my late lord privy seal[3]; not all out so sharply, but as elegantly. Sir Thomas Lake, who is also new in that court, did very well, familiarly and counsellor-like[4]. My lord of Pembroke[5], who is likewise a stranger there, did extraordinarily well, and became himself well, and had an evident applause. I meant

[1] Rawley's Resuscitatio.

[2] The chancellor of the exchequer here meant was Sir Fulke Greville, who being early initiated into the court of queen Elizabeth, became a polite and fine gentleman; and in the 18th of king James was created lord Brooke. He erected a noble monument for himself on the north side of Warwick church, which hath escaped the late desolation, with this well-known inscription, "Fulke Greville, servant to queen Elizabeth, counsellor to king James, and friend to Sir Philip Sydney." Nor is he less remembered by the monument he has left in his writings and poems, chiefly composed in his youth, and in familiar exercises with the gentleman I have before mentioned. *Stephens.*

[3] Late earl of Northampton.

[4] Sir Thomas Lake was about this time made one of the principal secretaries of state, as he had been formerly Latin secretary to queen Elizabeth, and before that time bred under Sir Francis Walsingham. But in the year 1618, falling into the king's displeasure, and being engaged in the quarrels of his wife and daughter the lady Roos, with the countess of Exeter; he was at first suspended from the execution of his place, and afterwards removed, and deeply censured and fined in the star-chamber; although it is said the king then gave him in open court this public eulogy, that he was a minister of state fit to serve the greatest prince in Europe. Whilst this storm was hanging over his head, he writ many letters to the king and the marquis of Buckingham, which I have seen, complaining of his misfortune, that his ruin was likely to proceed from the assistance he gave to his nearest relations. *Stephens.*

[5] William earl of Pembroke, son to Henry Herbert earl of Pembroke, lord president of the council in the marches of Wales, by Mary his wife, a lady in whom the Muses and Graces seemed to meet; whose very letters, in the judgment of one who saw many of them, declared her to be mistress of a pen not inferior to that of her brother, the admirable Sir Philip Sydney, and to whom he addressed his Arcadia. Nor did this gentleman degenerate from their wit and spirit, as his own poems, his great patronage of learned men, and resolute opposition to

well also; and because my information was the ground; having spoken out of a few heads which I had gathered, for I seldom do more, I set down, as soon as I came home, cursorily, a frame of that I had said; though I persuade myself I spake it with more life. I have sent it to Mr. Murray sealed; if your majesty have so much idle time to look upon it, it may give some light of the day's work: but I most humbly pray your majesty to pardon the errors. God preserve you ever.

Your majesty's most humble subject and devoted servant,

April 29, 1615. FR. BACON.

CXXII. TO THE KING, CONCERNING THE NEW COMPANY [1].

IT MAY PLEASE YOUR MOST EXCELLENT MAJESTY,

YOUR majesty shall shortly receive the bill for the incorporation of the new company [2], together with a bill for

the Spanish match, did, among other instances, fully prove. In the year 1616, he was made lord chamberlain, and chosen chancellor of the university of Oxford. He died suddenly on the 10th of April, 1630, having just completed fifty years. But his only son deceasing a child before him, his estate and honours descended upon his younger brother, Philip earl of Montgomery, the lineal ancestor of the present noble and learned earl. *Stephens.*

[1] Rawley's Resuscitatio.

[2] Among other projects for supplying his majesty with money, after his abrupt dissolution of the parliament, there was one proposed through the lord treasurer's means by Sir William Cockayne, an alderman of London. For the society or fellowship of Merchant Adventurers, having enjoyed by licence from the crown a power of exporting yearly several thousands of English cloths undyed; it was imagined that the king would not only receive an increase in his customs by the importation of materials necessary for dying, but the nation a considerable advantage in employing the subject, and improving the manufacture to its utmost before it was exported. This proposition being besides attended with the offer of an immediate profit to his majesty, was soon embraced; the charter granted to the Merchant Adventurers recalled, and Sir William Cockayne and several other traders incorporated upon certain conditions, as appears in part from this letter; though some other letters in the same and the following year inform us what difficulties the king and council, and indeed the whole kingdom, sustained thereby. For the trading towns in the Low-Countries and in Germany, which were the great mart and staple of these commodities, perceiving themselves in danger of losing the profit, which they had long reaped by dying and dressing great quantities of English cloth, the Dutch prohibited the whole commodity; and the materials being either dearer here, or the manufacturers less skilled in fixing of the colours, the vent of cloth was soon at a stand; upon which the

the privy-seal, being a dependency thereof: for this morning I subscribed and docketted them both. I think it therefore now time to represent to your majesty's high wisdom that which I conceive, and have had long in my mind, concerning your majesty's service, and honourable profit in this business.

This profit, which hath proceeded from a worthy service of the lord treasurer, I have from the beginning constantly affected: as may well appear by my sundry labours from time to time in the same: for I hold it a worthy character of your majesty's reign and times; insomuch, as though your majesty might have at this time, as is spoken, a great annual benefit for the quitting of it; yet I shall never be the man that should wish for your majesty to deprive yourself of that beatitude, "Beatius est dare quam accipere," in this cause; but to sacrifice your profit, though as your majesty's state is, it be precious to you, to so great a good of your kingdom; although this project is not without a profit immediate unto you, by the increasing of customs upon the materials of dyes.

But here is the case: the new company by this patent and privy seal are to have two things, wholly diverse from the first intention, or rather *ex diametro* opposite unto the same; which nevertheless they must of necessity have, or else the work is overthrown: so as I may call them *mala necessaria*, but yet withal temporary. For as men make war to have peace; so these merchants must have licence for whites, to the end to banish whites; and they must have licence to use tenters, to the end to banish tenters.

This is therefore that I say; your majesty, upon these two points, may justly, and with honour, and with pre-

clamour of the countries extended itself to the court. So that, after several attempts to carry on the design, Sir Fr. Bacon finding the new company variable in themselves, and not able to comply with their proposals, but making new and springing demands, and that the whole matter was more and more perplexed, sent, on the 14th of October, 1616, a letter to the lord Villiers, inclosing his reasons why the new company was no longer to be trusted, but the old company to be treated with and revived. Accordingly, pursuant to a power of revocation, contained in the new charter, it was recalled, and a proclamation published for restoring the old company, dated August 12, 1617; and soon after another charter granted them upon their payment of 50,000l. *Stephens's* Introduct. p. 38, 39.

servation of your first intention inviolate, demand profit in the interim, as long as these unnatural points continue, and then to cease. For your majesty may be pleased to observe, that they are to have all the old company's profit by the trade of whites; they are again to have, upon the proportion of cloths which they shall vend dyed and dressed, the Flemings profit upon the tenter. Now then, I say, as it had been to good husbandry for a king to have taken profit of them, if the project could have been effected at once, as was voiced, so on the other side it might be, perchance, too little husbandry and providence to take nothing of them, for that which is merely lucrative to them in the mean time. Nay, I say farther, this will greatly conduce, and be a kind of security to the end desired. For I always feared, and do yet fear, that when men, by condition merchants, though never so honest, have gotten into their hands the trade of whites, and the dispensation to tenter, wherein they shall reap profit for that which they never sowed; but have gotten themselves certainties, in respect of the state's hopes: they are like enough to sleep upon this as upon a pillow, and to make no haste to go on with the rest. And though it may be said, that this is a thing will easily appear to the state, yet, no doubt, means may be devised and found to draw the business in length. So that I conclude, that if your majesty take a profit of them in the interim, considering you refuse profit from the old company, it will be both spur and bridle to them, to make them pace aright to your majesty's end.

This in all humbleness, according to my vowed care and fidelity, being no man's man but your majesty's, I present, leave, and submit to your majesty's better judgment, and I could wish your majesty would speak with Sir Thomas Lake in it; who, besides his good habit which he hath in business, beareth, methinks, an indifferent hand in this particular; and, if it please your majesty, it may proceed as from yourself, and not as a motion or observation of mine.

Your majesty need not in this to be straitened in time; as if this must be demanded or treated before you sign their bill. For I foreseeing this, and foreseeing that many

things might fall out which I could not foresee, have handled it so, as with their good contentment there is a power of revocation inserted into their patent. And so commending your majesty to God's blessing and precious custody, I rest,

Your majesty's most humble and devoted subject and servant,

FR. BACON.

Aug. 12, 1615.

CXXIII. TO SIR GEORGE VILLIERS, ABOUT ROPER'S PLACE[1].

SIR,

SENDING to the king upon occasion, I would not fail to salute you by my letter; which, that it may be more than two lines, I add this for news; that as I was sitting by my lord chief justice, upon the commission for the indicting of the great person; one of the judges asked him, whether Roper were dead; he said, he for his part knew not; another of the judges answered, It should concern you, my lord, to know it. Whereupon he turned his speech to me, and said, No, Mr. Attorney, I will not wrestle now in my latter times. My lord, said I, you speak like a wise man. Well, saith he, they have had no luck with it that have had it. I said again, Those days be past. Here you have the dialogue to make you merry. But in sadness, I was glad to perceive he meant not to contest. I can but honour and love you, and rest

Your assured friend and servant,

FR. BACON.

Jan. 22, 1615.

CXXIV. SIR FRANCIS BACON TO KING JAMES[2].

IT MAY PLEASE YOUR MOST EXCELLENT MAJESTY,

IT pleased your majesty to commit to my care and trust for Westminster-hall three particulars; that of the *rege inconsulto*, which concerneth Murray; that of the commendams, which concerneth the bishop of Lincoln; and

[1] Rawley's Resuscitatio.

[2] Sir David Dalrymple's Memorials and Letters, p. 46.

that of the *habeas corpus*, which concerneth the chancery.

These causes, although I gave them private additions, yet they are merely, or at least chiefly, yours; and the die runneth upon your royal prerogatives diminution, or entire conservation. Of these it is my duty to give your majesty a short account.

For that of the *rege inconsulto*, I argued the same in the King's bench on Thursday last. There argued on the other part Mr. George Crook, the judge's brother, an able book-man, and one that was manned forth with all the furniture that the bar could give him, I will not say the bench, and with the study of a long vacation. I was to answer, which hath a mixture of the sudden; and of myself I will not, nor cannot say any thing, but that my voice served me well for two hours and an half; and that those that understood nothing, could tell me that I lost not one auditor that was present in the beginning, but staid till the latter end. If I should say more, there were too many witnesses, for I never saw the court more full, that mought disprove me.

My lord Coke was pleased to say, that it was a famous argument; but withal, he asked me a politic and tempting question: for, taking occasion by a notable precedent I had cited, where, upon the like writ brought, all the judges in England assembled, and that privately, lest they should seem to dispute the king's commandment, and, upon conference, with one mind agreed, that the writ must be obeyed. Upon this hold, my lord asked me, whether I would have all the rest of the judges called to it. I was not caught: but knowing well that the judges of the common pleas were most of all others interested in respect of the prothonotaries, I answered civilly, that I could advise of it; but that I did not distrust the court; and, besides, I thought the case so clear, as it needed not.

Sir, I do perceive, that I have not only stopped, but almost turned the stream: and I see how things cool by this, that the judges that were wont to call so hotly upon the business, when they had heard, of themselves, took a fortnight day to advise what they will do, by which time the term will be near at an end; and I know they

little expected to have the matter so beaten down with book-law, upon which my argument wholly went: so that every mean student was satisfied. Yet, because the times are as they are, I could wish, in all humbleness, that your majesty would remember and renew your former commandment which you gave my lord chief justice in Michaelmas term, which was, that after he had heard your attorney, which is now done, he should forbear further proceeding till he had spoke with your majesty.

It concerneth your majesty threefold. First, in this particular of Murray; next in the consequence of fourteen several patents, part in queen Elizabeth's time, some in your majesty's time, which depend upon the like question; but chiefly, because this writ is a mean provided by the ancient law of England, to bring any case that may concern your majesty, in profit or power, from the ordinary benches, to be tried and judged before your chancellor of England, by the ordinary and legal part of his power: and your majesty knoweth your chancellor is ever a principal counsellor, and instrument of monarchy, of immediate dependence upon the king: and therefore like to be a safe and tender guardian of the royal rights.

For the case of the commendams, a matter likewise of great consequence, though nothing near the first, this day I was prepared to have argued it before all the judges; but, by reason of the sickness of the sergeant which was provided to argue on the other side, although I pressed to have had some other day appointed this term; yet it pleased divers of the judges to do me the honour, as to say it was not fit any should argue against me, upon so small time of warning, it is adjourned to the first Saturday next term.

For the matter of the *habeas corpus*, I perceive this common employment of my lord chancellor, and my lord chief justice, in these examinations, is such a *vinculum*, as they will not square while these matters are in hand, so that there is *altum silentium* of that matter. God ever preserve your majesty.

Your majesty's most humble and bounden subject and servant,

FR. BACON.

27th Jan. 1615.

CXXV. TO THE KING, ADVISING HIM TO BREAK OFF WITH THE NEW COMPANY[1].

IT MAY PLEASE YOUR EXCELLENT MAJESTY,

I SPAKE yesternight long with my lord Coke; and for the *rege inconsulto*, I conceive by him it will be an *amplius deliberandum censeo*, as I thought at first, so as for the present your majesty shall not need to renew your commandment of stay. I spake with him also about some propositions concerning your majesty's casual revenue; wherein I found him to consent with me fully, assuming, nevertheless, that he had thought of them before; but it is one thing to have the vapour of a thought, another to digest business aright. He, on his part, imparted to me divers things of great weight concerning the reparation of your majesty's means and finances, which I heard gladly; insomuch as he perceiving the same, I think was the readier to open himself to me in one circumstance, which he did much inculcate. I concur fully with him that they are to be held secret; for I never saw but that business is like a child, which is framed invisibly in the womb; and if it come forth too soon, it will be abortive. I know, in most of them, the prosecution must rest much upon myself. But I that had the power to prevail in the farmers case of the French wines, without the help of my lord Coke, shall be better able to go through these with his help, the ground being no less just. And this I shall ever add of mine own, that I shall ever respect your Majesty's honour no less than your profit; and shall also take care, according to my pensive manner, that that which is good for the present, have not in it hidden seeds of future inconveniences.

The matter of the new company was referred to me by the lords of the privy council; wherein, after some private speech with Sir Lionel Cranfield, I made that report which I held most agreeable to truth, and your majesty's service. If this new company break, it must either be put upon the patent, or upon the order made by themselves. For the patent, I satisfied the board, that

[1] Rawley's Resuscitatio.

there was no tittle in it which was not either *verbatim* in the patent of the old company, or by special warrant from the table inserted. My lord Coke, with much respect to me, acknowledged, but disliked the old patent in itself, and disclaimed his being at the table when the additions were allowed. But in my opinion, howsoever my lord Coke, to magnify his science in law, draweth every thing, though sometimes improperly and unseasonably, to that kind of question, it is not convenient to break the business upon those points. For considering they were but clauses that were in the former patents, and in many other patents of companies: and that the additions likewise passed the allowance of the table, it will be but clamoured, and perhaps conceived, that to quarrel them now, is but an occasion taken; and that the times are but changed, rather than the matter. But that which preserveth intire your majesty's honour, and the constancy of your proceedings, is to put the breach upon their orders.

For this light I gave in my report, which the table readily apprehended, and much approved; that if the table reject their orders as unlawful and unjust, it doth free you from their contract: for whosoever contracteth or undertaketh any thing, is always understood to perform it by lawful means; so as they have plainly abused the state, if that which they have undertaken be either impossible or unjust.

I am bold to present this consideration to that excellent faculty of your majesty's judgment: because I think it importeth that future good which may grow to your majesty in the close of this business; that the falling off be without all exception. God have you in his precious custody.

Your majesty's most humble and bounden subject and servant,

FR. BACON.

Feb. 3, 1615.

CXXVI. TO THE KING, TOUCHING THE CHANCELLOR'S SICKNESS[1].

IT MAY PLEASE YOUR MOST EXCELLENT MAJESTY,

I AM glad to understand by Mr. Murray, that your majesty accepteth well of my poor endeavours in opening unto you the passages of your service, that business may come the less crude, and the more prepared to your royal judgment; the perfection whereof, as I cannot expect they should satisfy in every particular; so, I hope, through my assiduity there will result a good total.

My lord chancellor's sickness falleth out *duro tempore*. I have always known him a wise man, and of just elevation for monarchy: but your majesty's service must not be mortal. And if you lose him, as your majesty hath now of late purchased many hearts by depressing the wicked; so God doth minister unto you a counterpart to do the like, by raising the honest. God evermore preserve your majesty.

Your majesty's most humble subject and bounden servant,

FR. BACON.

Feb. 9, 1615.

CXXVI. TO THE KING[2].

IT MAY PLEASE YOUR MOST EXCELLENT MAJESTY,

YOUR worthy chancellor, I fear, goeth his last day. God hath hitherto used to weed out such servants as grew not fit for your majesty; but now he hath gathered to himself one of the choicer plants, a true sage, or *salvia*, out of our garden; but your majesty's service must not be mortal.

Upon this heavy accident I pray your majesty, in all humbleness and sincerity, to give me leave to use a few words. I must never forget, when I moved your majesty, for the attorney's place, that it was your own sole act, and not my lord of Somerset's; who when he knew your majesty had resolved it, thrust himself into the business to gain thanks; and therefore I have no reason to pray to saints.

[1] Rawley's Resuscitatio. [2] Stephens's First Collection, p. 84.

I shall now again make oblation to your majesty, first, of my heart, then of my service; thirdly of my place of attorney, which I think is honestly worth 6000*l.* per annum, and fourthly, of my place in the star-chamber, which is worth 1600*l.* per annum; and with the favour and countenance of a chancellor much more. I hope I may be acquitted of presumption if I think of it, both because my father had the place, which is some civil inducement to my desire, and I pray God your majesty may have twenty no worse years in your greatness, than queen Elizabeth had in her model, after my father's placing, and chiefly because the chancellor's place, after it went to the law, was ever conferred upon some of the learned counsel, and never upon a judge. For Audeley was raised from king's serjeant; my father from attorney of the wards; Bromley from solicitor; Puckering from queen's serjeant; Egerton from master of the rolls, having newly left the attorney's place. Now, I beseech your majesty, let me put you the present case truly. If you take my lord Coke, this will follow; first your majesty shall put an over-ruling nature into an over-ruling place, which may breed an extreme; next you shall blunt his industries in matter of your finances, which seemeth to aim at another place; and lastly, popular men are no sure mounters for your majesty's saddle. If you take my lord Hobart, you shall have a judge at the upper end of your council board, and another at the lower end; whereby your majesty will find your prerogative pent; for though there should be emulation between them, yet as legists they will agree in magnifying that wherein they are best; he is no statesman, but an œconomist wholly for himself; so as your majesty, more than an outward form, will find little help in him for the business. If you take my lord of Canterbury, I will say no more, but the chancellor's place requires a whole man; and to have both jurisdictions, spiritual and temporal, in that height, is fit but for a king.

For myself, I can only present your majesty with "gloria in obsequio"[1]; yet I dare promise, that if I sit

[1] "Gloria in obsequio" is taken from the sixth book of the Annals of Tacitus: where some persons being accused for their intimacy with Sejanus, the late great

in that place, your business shall not make such short turns upon you, as it doth; but when a direction is once given, it shall be pursued and performed, and your majesty shall only be troubled with the true care of a king, which is, to think what you would have done in chief, and not how for the passages.

I do presume also, in respect of my father's memory, and that I have been always gracious in the lower house, I have some interest in the gentlemen of England, and shall be able to do some good effect in rectifying that body of parliament-men, which is *cardo rerum*. For let me tell your majesty, that that part of the chancellor's place, which is to judge in equity between party and party, that same *regnum judiciale*, which since my father's time is but too much enlarged, concerneth your majesty least, more than the acquitting of your conscience for justice: but it is the other parts, of a moderator amongst your council, of an overseer over your judges, of a planter of fit justices and governors in the country, that importeth your affairs and these times most.

I will add also, that I hope by my care the inventive part of your council will be strengthened; who now commonly do exercise rather their judgments than their inventions, and the inventive part cometh from projectors and private men, which cannot be so well; in which kind my lord of Salisbury had a good method, if his ends had been upright.

To conclude: if I were the man I would be, I should hope, that as your majesty hath of late won hearts by depressing, you should in this lose no hearts by advancing: for I see your people can better skill of *concretum* than *abstractum*, and that the waves of their

favourite of the emperor Tiberius; M. Terentius, a Roman knight, did not, like others, excuse or deny the same for fear of punishment; but doth in the senate make an ingenuous confession thereof, and gives his reasons why he not only courted, but rejoiced in obtaining the friendship of Sejanus. And then addresses himself as if speaking to Tiberius, in these words; "Non est nostrum æstimare, quem supra cæteros, et quibus de causis extollas: tibi summum rerum judicium dii dedere: nobis *obsequii gloria* relicta est." "It does not become us to inquire into the person you are pleased to prefer above others, or into the reasons: to you heaven has given a consummate judgment; to us there remains the glory of a cheerful obedience." *Stephens.*

affections flow rather after persons than things: so that acts of this nature, if this were one, do more good than twenty bills of grace. If God call my lord, the warrants and commissions which are requisite for the taking of the seal, and for the working with it, and for the reviving of warrants under his hand, which die with him, and the like, shall be in readiness. And in this, time presseth more, because it is the end of a term, and almost the beginning of the circuits; so that the seal cannot stand still: but this may be done as heretofore by commission, till your majesty hath resolved of an officer. God ever preserve your majesty.

Your majesty's most humble subject and bounden servant,

FR. BACON.

Feb. 12, 1615.

CXXVIII. A LETTER TO THE KING, OF MY LORD CHANCELLOR'S AMENDMENT, AND THE DIFFERENCE BEGUN BETWEEN THE CHANCERY AND KING'S BENCH[1].

IT MAY PLEASE YOUR EXCELLENT MAJESTY,

I DO find, God be thanked, a sensible amendment in my lord chancellor: I was with him yesterday in private conference about half an hour; and this day again, at such a time as he did seal, which he endured well almost the space of an hour, though the vapour of wax be offensive to him. He is free from a fever, perfect in his powers of memory and speech; and not hollow in his voice nor look; he hath no panting or labouring respiration; neither are his coughs dry or weak. But whosoever thinketh his disease is but melancholy, he maketh no true judgment of it; for it is plainly a formed and deep cough, with a pectoral surcharge; so that at times he doth almost *animam agere*. I forbear to advertise your majesty of the care I took to have commissions in readiness, because Mr. Secretary Lake hath let me understand, he signified as much to your majesty: but I hope there shall be no use for them at this time. And as I am glad to advertise your majesty of the amend-

[1] Rawley's Resuscitatio.

ment of your chancellor's person, so I am sorry to accompany it with an advertisement of the sickness of your chancery court, though by the grace of God that cure will be much easier than the other. It is true I did lately write to your majesty, that for the matter of the *Habeas corpora*, which was the third matter in law you had given me in charge, I did think the communion in service between my lord chancellor and my lord chief justice, in the great business of examination, would so join them as they would not square at this time; but pardon me, I humbly pray your majesty, if I have too reasonable thoughts.

And yet that which happened the last day of term, concerning certain indictments in the nature of *præmunire*, preferred into the king's bench, but not found; is not so much as is voiced abroad; though I must say, it is "omni tempore nimium, et hoc tempore alienum:" and therefore, I beseech your majesty not to give any believing ear to reports, but to receive the truth from me, that am your attorney-general, and ought to stand indifferent for jurisdictions of all courts; which account I cannot give your majesty now, because I was then absent; and some are now absent, which are properly and authentically to inform me touching that which passed. Neither let this any ways disjoint your other business, for there is a time for all things, and this very accident may be turned to good. Not that I am of opinion that that same cunning maxim of "Separa et impera," which sometimes holdeth in persons, can well take place in jurisdictions; but because some good occasion by this excess may be taken to settle that which would have been more dangerous, if it had gone out by little and little. God ever preserve your majesty.

Your majesty's most humble subject and most bounden servant,

FR. BACON.

Feb. 15, 1615.

CXXIX. TO SIR GEORGE VILLIERS [1].

SIR,

I RECEIVED this morning from you two letters by the same bearer; the one written before, the other after his majesty had received my last.

In this difference between the two courts of chancery and king's bench, for so I had rather take it for this time, than between the persons of my lord chancellor and my lord chief justice, I marvel not, if rumour get way of true relation; for I know fame hath swift wings, specially that which hath black feathers: but within these two days, for sooner I cannot be ready, I will write unto his majesty both the narrative truly, and my opinion sincerely; taking much comfort that I serve such a king that hath God's property in discerning truly of mens hearts. I purpose to speak with my lord chancellor this day: and so to exhibit that cordial of his majesty's grace, as I hope that other accident will rather rouse and raise his spirit, than deject him, or incline him to relapse. Mean while I commend the wit of a mean man that said this other day, "Well, the next term you shall have an old man come with a besom of wormwood in his hand that will sweep away all this." For it is my lord chancellor's fashion, specially towards the summer, to carry a posy of wormwood. I write this letter in haste to return your messenger with it. God keep you; and long and happily may you serve his majesty.

Your true and affectionate servant,

FR. BACON.

Feb. 19, 1615.

Sir, I thank you for your inward letter; I have burned it as you commanded: but the fire it hath kindled in me will never be extinguished.

[1] Rawley's Resuscitatio.

CXXX. TO SIR GEORGE VILLIERS, ABOUT SWEARING HIM INTO THE PRIVY COUNCIL[1].

SIR,

My lord chancellor's health growing with the days, and his resignation being an uncertainty, I would be glad you went on with my first motion, my swearing privy counsellor. This I desire not so much to make myself more sure of the other, and to put it past competition, for herein I rest wholly upon the king and your excellent self, but because I find hourly that I need this strength in his majesty's service, both for my better warrant and satisfaction of my conscience, that I deal not in things above my vocation; and for my better countenance and prevailing, where his majesty's service is, under any pretext, opposed, I would it were dispatched. I remember a greater matter than this was dispatched by a letter from Royston, which was the placing of the archbishop that now is; and I imagine the king did it on purpose, that the act might appear to be his own.

My lord chancellor told me yesterday in plain terms, that if the king would ask his opinion touching the person that he would commend to succeed him upon death or disability, he would name me for the fittest man. You may advise, whether use may not be made of this offer.

I sent a pretty while since a paper to Mr. John Murray, which was indeed a little remembrance of some things past, concerning my honest and faithful services to his majesty; not by way of boasting, from which I am far, but as tokens of my studying his service uprightly and carefully. If you be pleased to call for the paper, which is with Mr. John Murray, and to find a fit time that his majesty may cast an eye upon it, I think it will do no hurt; and I have written to Mr. Murray to deliver the paper, if you call for it. God keep you in all happiness.

Your truest servant,

FR. BACON.

Feb. 1, 1615.

[1] Rawley's Resuscitatio.

CXXXI. TO THE KING, CONCERNING THE PRÆMUNIRE IN THE KING'S BENCH, AGAINST THE CHANCERY [1].

IT MAY PLEASE YOUR MOST EXCELLENT MAJESTY,

I WAS yesterday in the afternoon with my lord chancellor according to your commandment which I received by the master of the horse, and find the old man well comforted, both towards God, and towards the world: and that same middle comfort which is divine and human, proceeding from your majesty, being God's lieutenant on earth, I am persuaded, hath been a great cause that such a sickness hath been portable to such an age. I did not fail in my conjecture, that this business of the chancery hath stirred him; he sheweth to despise it, but he is full of it, and almost like a young duellist that findeth himself behind-hand.

I will now, as your majesty requireth, give you a true relation of that which hath passed: neither will I decline your royal commandment for delivering my opinion also, though it be a tender subject to write on; but I that account my Being but as an accident to my Service, will neglect no duty upon self-safety.

First, it is necessary I let your majesty know the ground of the difference between the two courts, that your majesty may the better understand the narrative.

There was a statute made 27 Edw. III. cap. 1. which, no doubt, in the principal intention thereof was ordained against those that sued to Rome; wherein there are words somewhat general against any "that questioneth or impeacheth any judgment given in the king's courts, or in any other court." Upon these doubtful words, other courts, the controversy groweth. For the sounder interpretation taketh them to be meant of those courts, which though locally they were not held at Rome, or where the pope's chair was, but here within the realm; yet in their jurisdiction had their dependence upon the court of Rome; as were the court of the legate here, and the courts of the archbishops and bishops, which were then but subordinate judgment-seats to that high tribu-

[1] Rawley's Resuscitatio.

nal of Rome. And for this construction, the opposition of the words, if they be well observed, between the king's courts and other courts, maketh very much; for it importeth as if those other courts were not the king's courts. Also the main scope of the statute fortifieth the same. And lastly, the practice of many ages. The other interpretation, which cleaveth to the letter, expoundeth the king's courts to be the courts of law only, and other courts to be courts of equity, as the chancery, exchequer-chamber, dutchy, *etc.* Though this also flieth indeed from the letter, for that all these are the king's courts.

There is also another statute, which is but a simple prohibition, and not with a penalty of a *præmunire*, as the other is, "that after judgments given in the king's courts, the parties shall be in peace, except the judgment be undone by error or attaint," which is a legal form of reversal. And of this also I hold the sounder interpretation to be to settle possessions against disturbances, and not to take away remedy in equity, where those judgments are obtained *ex rigore juris*, and against good conscience.

But upon these two statutes there hath been a late conceit in some, that if a judgment pass at the common law against any, that he may not after sue for relief in chancery; and if he doth, both he, and his counsel, and his solicitors, yea and the judge in equity himself, are within the danger of those statutes.

Here your majesty hath the true state of the question, which I was necessarily to open to you first, because your majesty calleth for this relation, not as news, but as business. Now to the historical part.

It is the course of the king's bench, that they give in charge to a grand jury offences of all natures, to be presented within Middlesex, where the said court is; and the manner is, to enumerate them as it were in articles. This was done by justice Crook, the Wednesday before the term ended. And that article, If any man, after a judgment given, had drawn the said judgment to a new examination in any other court, was by him specially given in charge; which had not used to be given in charge before. It is true, it was not solemnly dwelt upon, but as it were thrown in amongst the rest.

The last day of the term, and, that which all men condemn, the supposed last day of my lord chancellor's life, there were two indictments preferred of *præmunire*, for suing in chancery after judgment in common law; the one by Rich. Glanville, the other by William Allen: the former against Courtney, the party in chancery, Gibb the counsellor, and Deurst the clerk; the latter against alderman Bowles and Humfrey Smith, parties in chancery; serjeant More the counsellor, Elias Wood, solicitor in the cause, and Sir John Tindal, master of the chancery, and an assessor to my lord chancellor.

For the cases themselves, it were too long to trouble your majesty with them; but this I will say, if they were set on that preferred them, they were the worst marksmen that ever were that set them on. For there could not have been chosen two such causes to the honour and advantage of the chancery, for the justness of the decrees, and the foulness and scandal both of fact and person, in those that impeach the decrees.

The grand jury, consisting, as it seemeth, of very substantial and intelligent persons, would not find the bills, notwithstanding they were clamoured by the parties, and twice sent back by the court; and in conclusion, resolutely seventeen of nineteen found an *Ignoramus;* wherein, for that time, I think *Ignoramus* was wiser than those that know too much.

Your majesty will pardon me, if I be sparing in delivering to you some other circumstances of aggravation, and of concurrences of some like matters the same day; as if it had been some fatal constellation. They be not things so sufficiently tried, as I dare put them into your ear.

For my opinion, I cannot but begin with this preface, that I am infinitely sorry that your majesty is thus put to salve and cure, not only accidents of time, but errors of servants; for I account this a kind of sickness of my lord Coke's, that comes almost in as ill a time as the sickness of my lord chancellor. And as, I think, it was one of the wisest parts that ever he played, when he went down to your majesty to Royston, and desired to have my lord chancellor joined with him; so this was one of

the weakest parts that ever he played, to make all the world perceive that my lord chancellor is severed from him at this time.

But for that which may concern your service, which is my end, leaving other men to their own ways, first, my opinion is plainly that my lord Coke at this time is not to be disgraced; both because he is so well habituate for that which remaineth of these capital causes, and also for that which I find is in his breast touching your finances and matters of repair of your estate; and, if I might speak it, as I think it were good his hopes were at an end in some kind, so I could wish they were raised in some other.

On the other side, this great and public affront, not only to the reverend and well deserving person of your chancellor, and at a time when he was thought to lie on dying, which was barbarous, but to your high court of chancery, which is the court of your absolute power, may not, in my opinion, pass lightly, nor end only in some formal atonement, but use is to be made thereof for the settling of your authority and strengthening of your prerogative according to the true rules of monarchy.

Now to reconcile and accommodate these two advices, which seem almost opposite; first, your majesty may not see it, though I confess it to be suspicious, that my lord Coke was any way aforehand privy to that which was done; or that he did set it or animate it, but only took the matter as it came before him; and that his error was only, that at such a time he did not divert it in some good manner.

Secondly, if it be true, as is reported, that any of the puisne judges did stir this business; or that they did openly revile and menace the jury for doing their conscience, as they did honestly and truly, I think that judge is worthy to lose his place. And, to be plain with your majesty, I do not think there is any thing a greater *polychreston*, or *ad multa utile* to your affairs, than upon a just and fit occasion to make some example against the presumption of a judge in causes that concern your majesty, whereby the whole body of those magistrates may be contained the better in awe; and it may be this

will light upon no unfit subject of a person, that is rude, and that no man cares for.

Thirdly, if there be no one so much in fault, which I cannot yet affirm either way, and there must be a just ground, God forbid else, yet I should think, that the very presumption of going so far, in so high a cause, deserveth to have that done which was done in this very case upon the indictment of serjeant Heale in queen Elizabeth's time; that the judges should answer it upon their knees before your majesty or your council, and receive a sharp admonition: at which time also, my lord Wray, being then chief justice, slipt the collar and was forborn.

Fourthly, for the persons themselves, Glanville and Allen, which are base fellows and turbulent, I think there will be discovered and proved against them, besides the preferring of the bills, such combinations and contemptuous speeches and behaviours, as there will be good ground to call them, and perhaps some of their petty counsellors at law, into the star-chamber.

In all this which I have said your majesty may be pleased to observe, that I do not engage you much in the main point of the jurisdiction, for which I have a great deal of reason, which I now forbear. But two things I wish to be done: the one, that your majesty take this occasion to redouble unto all your judges your ancient and true charge and rule, That you will endure no innovating the point of jurisdiction, but will have every court impaled within their own precedents, and not assume to themselves new powers upon conceits and inventions of law; the other, that in these high causes that touch upon state and monarchy, your majesty give them strait charge, that upon any occasions intervenient hereafter, they do not make the vulgar party to their contestations, by public handling them, before they have consulted with your majesty, to whom the reglement of those things only appertaineth.

To conclude, I am not without hope, that your majesty managing this business according to your great wisdom, unto which I acknowledge myself not to be worthy to be card-holder, or candle-holder, will make profit of this accident as a thing of God's sending.

Lastly, I may not forget to represent to your majesty, that there is no thinking of arraignments until these things be somewhat accommodated, and some outward and superficial reconciliation at least made between my lord chancellor and my lord chief justice; for this accident is a banquet to all the delinquent's friends. But this is a thing that falleth out naturally of itself, in respect of the judges going circuit, and my lord chancellor's infirmity with hope of recovery: and although this protraction of time may breed some doubt of mutability, yet I have lately learned out of an excellent letter of a certain king, that the sun sheweth sometimes watry to our eyes, but when the cloud is gone, the sun is as before. God ever preserve your majesty.

Your majesty's most humble subject and bounden servant,

FR. BACON.

Feb. 21, 1615.

CXXXII. TO THE KING, ON THE BREACH OF THE NEW COMPANY [1].

IT MAY PLEASE YOUR MOST EXCELLENT MAJESTY,

YOUR privy council have wisely and truly discerned of the orders and demands of the new company, that they are unlawful and unjust; and themselves have now acknowledged the work impossible without them, by their petition in writing now registered in the council book; so as this conclusion of their own making, is become peremptory and final to themselves; and the impossibility confessed, the practice and abuse reserved to the judgment the state shall make of it.

This breach then of this great contract is wholly on their part, which could not have been if your majesty had broken upon the patent; for the patent was your majesty's act, the orders are their act: and in the former case they had not been liable to farther question, now they are.

There rest two things to be considered: the one, if they, like Proteus when he is hard held, shall yet again vary their shape; and shall quit their orders convinced

[1] Rawley's Resuscitatio.

of injustice, and lay their imposition only upon the trade of whites, whether your majesty shall farther expect: the other if your majesty dissolve them upon this breach on their part, what is farther to be done for the setting of the trade again in joint, and for your own honour and profit: in both which points I will not presume to give opinion, but only to break the business for your majesty's better judgment.

For the first, I am sorry the occasion was given by my lord Coke's speech at this time of the commitment of some of them, that they should seek *omnem movere lapidem* to help themselves. Better it had been, if, as my lord Fenton said to me that morning very judiciously and with a great deal of foresight, that for that time they should have had a bridge made for them to be gone. But my lord Coke floweth according to his own tides, and not according to the tides of business. The thing which my lord Coke said was good and too little, but at this time it was too much; but that is past. Howsoever, if they should go back and seek again to entertain your majesty with new orders or offers, as is said to be intended, your majesty hath ready two answers of repulse, if it please your majesty to use them.

The one, that this is now the fourth time that they have mainly broken with your majesty, and contradicted themselves. First, they undertook to dye and dress all the cloths of the realm; soon after, they wound themselves into the trade of whites, and came down to the proportion contracted. Secondly, they ought to have performed that contract according to their subscription *pro rata*, without any of these orders and impositions; soon after, they deserted their subscription, and had recourse to these devices of orders. Thirdly, if by order, and not by subscription, yet their orders should have laid it upon the whites; which is an unlawful and prohibited trade; nevertheless they would have brought in lawful and settled trades, full manufactures, merchandise of all natures, poll-money or brotherhood-money, and I cannot tell what. And now lastly, it seemeth, they would go back to lay it upon the whites; and therefore whether your majesty will any more rest and build this great

wheel of your kingdom upon these broken and brittle pins, and try experiments farther upon the health and body of your state, I leave to your princely judgment.

The other answer of repulse is a kind of apposing them what they will do after the three years contracted for; which is a point hitherto not much stirred, though Sir Lionel Cranfield hath ever beaten upon it in his speech with me; for after the three years they are not tied otherways than as trade shall give encouragement, of which encouragement your majesty hath a bitter taste: and if they should hold on according to the third year's proportion, and not rise on by farther gradation, your majesty hath not your end. No, I fear, and have long feared, that this feeding of the foreigner may be dangerous; for as we may think to hold up our clothing by vent of whites, till we can dye and dress; so they, I mean the Dutch, will think to hold up their manufacture of dying and dressing upon our whites, till they can clothe: so as your majesty hath the greatest reason in the world to make the new company to come in and strengthen that part of their contract; and they refusing, as it is confidently believed they will, to make their default more visible to all men.

For the second main part of your majesty's consultation, that is, what shall be done supposing an absolute breach, I have had some speech with Mr. Secretary Lake, and likewise with Sir Lionel Cranfield; and, as I conceive, there may be three ways taken into consideration: the first is, that the old company be restored, who, no doubt, are in appetite, and, as I find by Sir Lionel Cranfield, not unprepared; and that the licences, the one, that of 30000 cloths, which was the old licence; the other that of my lord Cumberland's, which is without stint, my lord of Cumberland receiving satisfaction, be compounded into one entire licence without stint; and then, that they amongst themselves take order for that profit which hath been offered to your majesty. This is a plain and known way, wherein your majesty is not an actor; only it hath this, that the work of dying and dressing cloths, which hath been so much glorified, seemeth to be wholly relinquished, if you leave there. The

second is, that there be a free trade of cloth, with this difference, that the dyed and dressed pay no custom, and the whites double custom, it being a merchandise prohibited and only licentiate. This continueth in life and fame the work desired, and will have a popular applause: but, I do confess, I did ever think that trading in companies is most agreeable to the English nature, which wanteth that same general vein of a republic which runneth in the Dutch, and serveth to them instead of a company; and therefore I dare not advise to adventure this great trade of the kingdom, which hath been so long under government, in a free or loose trade. The third is a compound way of both, which is, to go on with the trade of whites by the old company restored; and that your majesty's profit be raised by order amongst themselves, rather than by double custom, wherein you must be the actor; and that nevertheless there be added a privilege to the same company to carry out cloths dyed, and dressed, custom-free; which will still continue as a glorious beam of your majesty's royal design. I hope and wish at least, that this which I have written may be of some use to your majesty, to settle, by the advice of the lords about you, this great business: at the least it is the effect of my care and poor ability, which, if in me be any, it is given me to no other end but faithfully to serve your majesty. God ever preserve you.

Your majesty's most humble subject and bounden servant,

Feb. 25, 1615. FR. BACON.

CXXXIII. TO SIR GEORGE VILLIERS [1].

SIR,

I HUMBLY pray you not to think me over-hasty or much in appetite, if I put you in remembrance of my motion of strengthening me with the oath and trust of a privy counsellor; not for mine own strength, for as to that, I thank God, I am armed within, but for the strength of my service. The times I submit to you, who knoweth them best. But sure I am, there were never

[1] Rawley's Resuscitatio.

times which did more require a king's attorney to be well armed, and, as I said once to you, to wear a gauntlet and not a glove: the arraignments, when they proceed; the contention between the chancery and king's bench; the great cause of the *rege inconsulto*, which is so precious to the king's prerogative; divers other services that concern the king's revenue and the repair of his estate. Besides, it pleaseth his majesty to accept well of my relations touching his business, which may seem a kind of interloping, as the merchants call it, for one that is no counsellor. But I leave all unto you, thinking myself infinitely bounden unto you for your great favours, the beams whereof I see plainly reflect upon me even from others; so that now I have no greater ambition than this, that as the king sheweth himself to you the best master, so I might be found your best servant. In which wish and vow I shall ever rest,

Most devoted and affectionate to obey your commands,

Feb. 27, 1615. FR. BACON.

CXXXIV. TO HIS MAJESTY, ABOUT THE EARL OF SOMERSET[1].

IT MAY PLEASE YOUR MOST EXCELLENT MAJESTY,

AT my last access to your majesty, it was fit for me to consider the time and your journey, which maketh me now trouble your majesty with a remnant of that I thought then to have said; besides your old warrant and commission to me, to advertise your majesty when you are *aux champs*, of any thing that concerned your service and my place. I know your majesty is *nunquam minus solus, quam cum solus;* and I confess, in regard of your great judgment, under which nothing ought to be presented but well weighed, I could almost wish that the manner of Tiberius were in use again, of whom Tacitus saith, "Mos erat quamvis præsentem scripto adire;" much more in absence. I said to your majesty that which I do now repeat, that the evidence upon which

[1] Stephen's first collection, p. 105.

my lord of Somerset standeth indicted is of a good strong thread, considering impoisoning is the darkest of offences; but that the thread must be well spun and woven together; for, your majesty knoweth, it is one thing to deal with a jury of Middlesex and Londoners, and another to deal with the peers; whose objects perhaps will not be so much what is before them in the present case, which I think is as odious to them as to the vulgar, but what may be hereafter. Besides, there be two disadvantages, we that shall givein evidence shall meet with, somewhat considerable; the one, that the same things often opened lose their freshness, except there be an aspersion of somewhat that is new; the other is the expectation raised, which makes things seem less than they are, because they are less than opinion. Therefore I were not your attorney, nor myself, if I should not be very careful, that in this last part, which is the pinnacle of your former justice, all things may pass *sine offendiculo, sine scrupulo.* Hereupon I did move two things, which having now more fully explained myself, I do in all humbleness renew. First, that your majesty will be careful to choose a steward of judgment, that may be able to moderate the evidence and cut off digressions; for I may interrupt, but I cannot silence: the other that there may be special care taken for the ordering the evidence, not only for the knitting, but for the list, and, to use your majesty's own words, the confining of it. This to do, if your majesty vouchsafe to direct it yourself, that is the best; if not, I humbly pray you to require my lord chancellor, that he, together with my lord chief justice, will confer with myself and my fellows, that shall be used for the marshalling and bounding of the evidence, that we may have the help of his opinion, as well as that of my lord chief justice; whose great travels as I much commend, yet that same *plerophoria*, or over-confidence, doth always subject things to a great deal of chance.

There is another business proper for me to crave of your majesty at this time, as one that have in my eye a great deal of service to be done concerning your casual revenue; but considering times and persons, I desire to be strengthened by some such form of commandment

under your royal hand, as I send you here inclosed. I most humbly pray your majesty to think, I understand myself right well in this which I desire, and that it tendeth greatly to the good of your service. The warrant I mean not to impart, but upon just occasion; thus thirsty to hear of your majesty's good health, I rest——

22 Jan. 1615.

CXXXV. TO HIS MAJESTY, ABOUT THE CHANCELLOR'S PLACE [1].

IT MAY PLEASE YOUR MOST EXCELLENT MAJESTY,

THE last day when it pleased your majesty to express yourself towards me far above that I can deserve or could expect, I was surprised by the prince's coming in: I most humbly pray your majesty, therefore, to accept these few lines of acknowledgment. I never had great thoughts for myself, farther than to maintain those great thoughts, which, I confess, I have for your service. I know what honour is, and I know what the times are; but, I thank God, with me my service is the principal; and it is far from me, under honourable pretences to cover base desires; which I account them to be, when men refer too much to themselves, especially serving such a king. I am afraid of nothing but that the master of the horse, your excellent servant, and I shall fall out, who shall hold your stirrup best. But were your majesty mounted and seated without difficulties and distastes in your business, as I desire and hope to see you; I should *ex animo* desire to spend the decline of my years in my studies: wherein also I should not forget to do him honour, who, besides his active and politic virtues, is the best pen of kings, and much more, the best subject of a pen. God ever preserve your majesty.

Your majesty's most humble subject, and more and more obliged servant,

FR. BACON.

April 1, 1616.

[1] Rawley's Resuscitatio.

CXXXVI. TO SIR GEORGE VILLIERS, ABOUT THE EARL OF SOMERSET [1].

SIR,

I THOUGHT it convenient to give his majesty an account of that which his majesty gave me in charge in general, reserving the particulars for his coming; and I find it necessary to know his pleasure in some things ere I could farther proceed.

My lord chancellor and myself spent Thursday and yesterday, the whole forenoons of both days, in the examination of Sir Robert Cotton; whom we find hitherto but empty, save only in the great point of the treaty with Spain.

This examination was taken before his majesty's warrant came to Mr. Vice-Chamberlain, for communicating unto us the secrets of the pensions; which warrant I received yesterday morning being Friday, and a meeting was appointed at my lord chancellor's in the evening after council; upon which conference we find matter of farther examination for Sir Robert Cotton, of some new articles whereupon to examine Somerset, and of entering into examination of Sir William Mounson.

Wherefore, first for Somerset, being now ready to proceed to examine him, we stay only upon the duke of Lenox, who it seemeth is fallen sick and keepeth in; without whom, we neither think it warranted by his majesty's direction, nor agreeable to his intention, that we should proceed; for that will want, which should sweeten the cup of medicine, he being his countryman and friend. Herein then we humbly crave his majesty's direction with all convenient speed, whether we shall expect the duke's recovery, or proceed by ourselves; or that his majesty will think of some other person, qualified according to his majesty's just intention, to be joined with us. I remember we had speech with his majesty of my lord Hay; and I, for my part, can think of no other, except it should be my lord chancellor of Scotland, for my lord Binning may be thought too near allied.

I am farther to know his majesty's pleasure concerning the day; for my lord chancellor and I conceived his

[1] Stephens's First Collection, p. 108.

majesty to have designed the Monday and Tuesday after St. George's feast; and nevertheless we conceived also, that his majesty understood that the examinations of Somerset about this, and otherwise touching the Spanish practices, should first be put to a point; which will not be possible, as time cometh on, by reason of this accident of the duke's sickness, and the cause we find of Sir William Mounson's examination, and that divers of the peers are to be sent for from remote places.

It may please his majesty therefore to take into consideration, whether the days may not well be put off till Wednesday and Thursday after the term, which endeth on the Monday, being the Wednesday and Thursday before Whitsuntide; or, if that please not his majesty, in respect, it may be, his majesty will be then in town, whereas these arraignments have been still in his majesty's absence from town, then to take Monday and Tuesday after Trinity Sunday, being the Monday and Tuesday before Trinity term.

Now for Sir William Mounson, if it be his majesty's pleasure that my lord chancellor and I shall proceed to the examination of him, for that of the duke of Lenox differs, in that there is not the like cause as in that of Somerset, then his majesty may be pleased to direct his commandment and warrant to my lord chief justice, to deliver unto me the examination he took of Sir William Mounson, that those, joined to the information which we have received from Mr. Vice-Chamberlain, may be full instructions unto us for his examination. Farther, I pray let his majesty know, that on Thursday in the evening my lord chief justice and myself attended my lord chancellor at his house for the settling that scruple which his majesty most justly conceived in the examination of the lady Somerset; at which time, resting on his majesty's opinion, that that evidence, as it standeth now uncleared, must "secundum leges sanæ conscientiæ" be laid aside; the question was, whether we should leave it out, or try what a re-examination of my lady Somerset would produce? Whereupon we agreed upon a re-examination of my lady Somerset, which my lord chief justice and I have appointed for Monday morning. I was bold at that meeting to put my lord chief justice

a posing question; which was, Whether that opinion which his brethren had given upon the whole evidence, and he had reported to his majesty, namely, that it was good evidence, in their opinions, to convict my lord of Somerset, was not grounded upon this part of the evidence now to be omitted, as well as upon the rest: who answered positively, No; and they never saw the exposition of the letter, but the letter only.

The same Thursday evening, before we entered into this last matter, and in the presence of Mr. Secretary Winwood, who left us when we went to the former business, we had conference concerning the frauds and abusive grants passed to the prejudice of his majesty's state of revenue; where my lord chief justice made some relation of his collections which he had made of that kind; of which I will only say this, that I heard nothing that was new to me, and I found my lord chancellor, in divers particulars, more ready than I found him. We grew to a distribution both of times and of matters, for we agreed what to begin with presently, and what should follow, and also we had consideration what was to be holpen by law, what by equity, and what by parliament; wherein I must confess, that in the last of these, of which my lord chief justice made most account, I make most doubt. But the conclusion was, that upon this entrance I should advise and confer at large with my lord chief justice, and set things in work. The particulars I refer till his majesty's coming.

The learned counsel have now attended me twice at my chamber, to confer upon that which his majesty gave us in commandment for our opinion upon the case set down by my lord chancellor, whether the statutes extend to it or no; wherein we are more and more edified and confirmed that they do not, and shall shortly send our report to his majesty.

Sir, I hope you will bear me witness I have not been idle; but all is nothing to the duty I owe his majesty for his singular favours past and present; supplying all with love and prayers, I rest,

Your true friend and devoted servant,

FR. BACON.

April 13, 1616.

CXXXVII. TO SIR GEORGE VILLIERS, ABOUT THE EARL OF SOMERSET[1].

SIR,

I RECEIVED from you a letter of very brief and clear directions; and I think it a great blessing of God upon me and my labours, that my directions come by so clear a conduit, as they receive no tincture in the passage.

Yesterday my lord Chancellor, the duke of Lennox, and myself, spent the whole afternoon at the Tower, in the examination of Somerset, upon the articles sent from his majesty, and some other additionals, which were in effect contained in the former, but extended to more particularity, by occasion of somewhat discovered by Cotton's examination and Mr. Vice-Chamberlain's information.

He is full of protestations, and would fain keep that quarter towards Spain clear: using but this for argument, that he had such fortunes from his majesty, as he could not think of bettering his conditions from Spain, because, as he said, he was no military man. He cometh nothing so far on, for that which concerneth the treaty, as Cotton, which doth much aggravate suspicion against him: the farther particulars I reserve to his majesty's coming.

In the end, *tamquam obiter*, but very effectually, my lord chancellor put him in mind of the state he stood in for the impoisonment; but he was little moved with it, and pretended carelessness of life, since ignominy had made him unfit for his majesty's service. I am of opinion that the fair usage of him, as it was fit for the Spanish examinations, and for the questions touching the papers and dispatches, and all that, so it was no good preparative to make him descend into himself touching his present danger: and therefore my lord chancellor and myself thought not good to insist upon it at this time.

I have received from my lord chief justice the examination of Sir William Mounson; with whom we mean to proceed to farther examination with all speed.

[1] Stephens's First Collection, p. 112.

My lord chief justice is altered touching the re-examination of the lady, and desired me that we might stay till he spake with his majesty, saying it could be no casting back to the business; which I did approve.

Myself with the rest of my fellows, upon due and mature advice, perfected our report touching the chancery; for the receiving whereof, I pray you put his majesty in mind at his coming, to appoint some time for us to wait upon him all together, for the delivery in of the same, as we did in our former certificate.

For the revenue matters, I reserve them to his majesty's coming; and in the mean time I doubt not but Mr. Secretary Winwood will make some kind of report thereof to his majesty.

For the conclusion of your letter concerning my own comfort, I can but say the Psalm of "Quid retribuam?" God that giveth me favour in his majesty's eyes, will strengthen me in his majesty's service. I ever rest

Your true and devoted servant,

FR. BACON.

April 18, 1616.

To requite your postscript of excuse for scribbling, I pray you excuse that the paper is not gilt, I writing from Westminster-Hall, where we are not so fine.

CXXXVIII. A LETTER TO THE KING, WITH HIS MAJESTY'S OBSERVATIONS UPON IT [1].

IT MAY PLEASE YOUR MOST EXCELLENT MAJESTY,

YOUR majesty hath put me upon a work of providence in this great cause, which is to break and distinguish future events into present cases; and so to present them to your royal judgment, that, in this action, which hath been carried with so great prudence, justice, and clemency, there may be, for that which remaineth, as little surprise as is possible; but that things duly foreseen may have their remedies and directions in readiness; wherein I cannot forget what the poet Martial

[1] Stephens's First Collection, p. 114.

saith; "O quantum est subitis casibus ingenium!" signifying, that accident is many times more subtle than foresight, and over-reacheth expectation; and besides, I know very well the meanness of my own judgment, in comprehending or forecasting what may follow.

It was your majesty's pleasure also that I should couple the suppositions with my opinion in every of them, which is a harder task; but yet your majesty's commandment requireth my obedience, and your trust giveth me assurance.

I will put the case, which I wish; that Somerset should make a clear confession of his offences, before he be produced to trial.

In this case it seemeth your majesty will have a new consult; the points whereof will be, 1. Whether your majesty will stay the trial, and so save them both from the stage, and that public ignominy. 2. Or whether you will, or may fitly by law, have the trial proceed, and stay or reprieve the judgment, which saveth the lands from forfeiture, and the blood from corruption. 3. Or whether you will have both trial and judgment proceed, and save the blood only, not from corrupting, but from spilling[1].

These be the depths of your majesty's mercy which I may not enter into: but for honour and reputation they have these grounds:

That the blood of Overbury is already revenged by divers executions.

That confession and penitency are the footstools of mercy; adding this circumstance likewise, that the former offenders did none of them make a clear confession.

That the great downfal of so great persons carrieth in itself a heavy judgment, and a kind of civil death, although their lives should not be taken.

All which may satisfy honour for sparing their lives. But if your majesty's mercy should extend to the first degree, which is the highest, of sparing the stage and the trial; then three things are to be considered:

[1] REX. I say with Apollo, "Medio tutius itur," if it may stand with law; and if it cannot, when I shall hear that he confesseth, I am then to make choice of the first or the last.

First, That they make such a submission or deprecation, as they prostrate themselves, and all that they have, at your majesty's feet, imploring your mercy [1].

Secondly, That your majesty, in your own wisdom, do advise what course you will take, for the utter extinguishing of all hopes of resuscitating of their fortunes and favour; whereof if there should be the least conceit, it will leave in men a great deal of envy and discontent.

And lastly; whether your majesty will not suffer it to be thought abroad, that there is cause of farther examination of Somerset, concerning matters of estate, after he shall begin once to be a confessant, and so make as well a politic ground, as a ground of clemency, for farther stay.

And for the second degree, of proceeding to trial, and staying judgment, I must better inform myself by precedents, and advise with my lord chancellor.

The second case is, if that fall out which is likest, as things stand, and which we expect, which is, that the lady confess; and that Somerset himself plead not guilty, and be found guilty [2]:

In this case, first, I suppose your majesty will not think of any stay of judgment, but that the public process of justice pass on.

Secondly, For your mercy to be extended to both for pardon of their execution, I have partly touched in the considerations applied to the former case; whereunto may be added, that as there is ground of mercy for her, upon her penitency and free confession, and will be much more upon his finding guilty; because the malice on his part will be thought the deeper source of the offence; so there will be ground for mercy on his part, upon the nature of the proof; and because it rests chiefly upon presumptions. For certainly there may be an evidence so balanced, as it may have sufficient matter for the conscience of the peers to convict him, and yet leave sufficient matter in the conscience of a king upon the same evidence to pardon his life; because the peers are astrin-

[1] REX. This article cannot be mended in point thereof.

[2] REX. If stay of judgment can stand with the law, I could even wish it in this case: in all the rest this article cannot be mended.

ged by necessity either to acquit or condemn; but grace is free: and for my part, I think the evidence in this present case will be of such a nature.

Thirdly, it shall be my care so to moderate the manner of charging him, as it might make him not odious beyond the extent of mercy.

Lastly, All these points of mercy and favour are to be understood with this limitation, if he do not by his contemptuous and insolent carriage at the bar, make himself incapable and unworthy of them [1].

The third case is, if he should stand mute and will not plead, whereof, your majesty knoweth, there hath been some secret question.

In this case I should think fit, that, as in public, both myself, and chiefly my lord chancellor, sitting then as lord Steward of England, should dehort and deter him from that desperation; so nevertheless, that as much should be done for him, as was done for Weston; which was to adjourn the court for some days, upon a Christian ground, that he may have time to turn from that mind of destroying himself; during which time your majesty's farther pleasure may be known [2].

The fourth case is that which I should be very sorry it should happen, but it is a future contingent; that is, if the peers should acquit him and find him not guilty.

In this case the lord Steward must be provided what to do. For as it hath never been seen, as I conceive it, that there should be any rejecting of the verdict, or any respiting of the judgment of the acquittal; so on the other side this case requireth, that because there be many high and heinous offences, though not capital, for which he may be questioned in the star-chamber, or otherwise, that there be some touch of that in general at the conclusion, by my lord Steward of England; and that therefore he be remanded to the Tower as close prisoner [3].

For the matter of examination, or other proceedings, my lord chancellor with my advice hath set down,

[1] REX. That danger is well to be foreseen, lest he upon the one part commit unpardonable errors, and I on the other part seem to punish him in the spirit of revenge.

[2] REX. This article cannot be mended.

[3] REX. This *is so also.*

To-morrow, being Monday, for the re-examination of the lady:

Wednesday next, for the meeting of the judges concerning the evidence:

Thursday, for the examination of Somerset himself, according to your majesty's instructions:

Which three parts, when they shall be performed, I will give your majesty advertisement with speed, and in the mean time be glad to receive from your majesty, whom it is my part to inform truly, such directions or significations of your pleasure as this advertisement may induce, and that with speed, because the time cometh on. Well remembering who is the person whom your majesty admitted to this secret, I have sent this letter open unto him, that he may take your majesty's times to report it, or shew it unto you; assuring myself that nothing is more firm than his trust, tied to your majesty's commandments.

Your majesty's most humble and most bounden subject and servant,

FR. BACON.

April 28, 1616.

CXXXIX. TO SIR GEORGE VILLIERS, ABOUT THE EARL OF SOMERSET [1].

SIR,

I HAVE received my letter from his majesty with his marginal notes, which shall be my directions, being glad to perceive I understand his majesty so well. That same little charm, which may be secretly infused into Somerset's ear some few hours before his trial, was excellently well thought of by his majesty; and I do approve it both for matter and time; only if it seem good to his majesty I would wish it a little enlarged: for if it be no more than to spare his blood, he hath a kind of proud humour which may overwork the medicine. Therefore I could wish it were made a little stronger, by giving him some hopes that his majesty will be good to his lady and child; and that time, when justice and his majesty's honour is once saved and satisfied, may produce farther fruit of his

[1] Stephens's First Collection, p. 120.

majesty's compassion: which was to be seen in the example of Southampton, whom his majesty after attainder restored; and Cobham and Gray, to whom his majesty, notwithstanding they were offenders against his own person, yet he spared their lives; and for Gray, his majesty gave him back some part of his estate, and was upon point to deliver him much more. He having been so highly in his majesty's favour, may hope well, if he hurt not himself by his public misdemeanor.

For the person that should deliver this message, I am not so well seen in the region of his friends, as to be able to make choice of a particular; my lord treasurer, the lord Knollys, or any of his nearest friends, should not be trusted with it, for they may go too far, and perhaps work contrary to his majesty's ends. Those which occur to me, are my lord Hay, my lord Burleigh, of England I mean, and Sir Robert Carre.

My lady Somerset hath been re-examined, and his majesty is found both a true prophet and a most just king in that scruple he made; for now she expoundeth the word He, that should send the tarts to Elwys's wife, to be of Overbury, and not of Somerset; but for the person that should bid her, she said it was Northampton or Weston, not pitching upon certainty, which giveth some advantage to the evidence.

Yesterday being Wednesday, I spent four or five hours with the judges whom his majesty designed to take consideration with, the four judges of the king's bench, of the evidence against Somerset: they all concur in opinion, that the questioning and drawing him on to trial is most honourable and just, and that the evidence is fair and good.

His majesty's letter to the judges concerning the *Commendams* was full of magnanimity and wisdom. I perceive his majesty is never less alone, than when he is alone; for I am sure there was no body by him to inform him, which made me admire it the more.

The judges have given a day over, till the second Saturday of the next term; so as that matter may endure farther consideration, for his majesty not only not to lose ground, but to win ground.

To-morrow is appointed for the examination of Somerset, which by some infirmity of the duke of Lenox was put off from this day. When this is done, I will write more fully, ever resting

Your true and devoted servant,

FR. BACON.

May 2, 1616.

CXL. TO SIR GEORGE VILLIERS, OF SOMERSET'S ARRAIGNMENT[1].

SIR,

I AM far enough from opinion, that the redintegration or resuscitation of Somerset's fortune can ever stand with his majesty's honour and safety; and therein I think I expressed myself fully to his majesty in one of my former letters; and I know well any expectation or thought abroad will do much hurt. But yet the glimmering of that which the king hath done to others, by way of talk to him, cannot hurt, as I conceive; but I would not have that part of the message as from the king, but added by the messenger as from himself. This I remit to his majesty's princely judgment.

For the person, though he trust the lieutenant well, yet it must be some new man; for in these cases, that which is ordinary worketh not so great impressions as that which is new and extraordinary.

The time I wish to be the Tuesday, being the even of his lady's arraignment: for, as his majesty first conceived, I would not have it stay in his stomach too long, lest it sour in the digestion; and to be too near the time, may be thought but to tune him for that day.

I send herewithal the substance of that which I purpose to say nakedly, and only in that part which is of tenderness; for that I conceive was his majesty's meaning.

It will be necessary, because I have distributed parts to the two sergeants, as that paper doth express, and they understand nothing of his majesty's pleasure of the manner of carrying the evidence more than they may guess

[1] Stephens's First Collection, p. 122.

by observation of my example, which they may ascribe as much to my nature as to direction; therefore that his majesty would be pleased to write some few words to us all, signed with his own hand, that, the matter itself being tragical enough, bitterness and insulting be forborn; and that we remember our part to be to make him delinquent to the peers, and not odious to the people. That part of the evidence of the lady's exposition of the pronoun, he, which was first caught hold of by me, and afterwards by his majesty's singular wisdom and conscience excepted to, and now is by her re-examination retracted, I have given order to sergeant Montague, within whose part it falleth, to leave it out of the evidence. I do yet crave pardon, if I do not certify touching the point of law for respiting the judgment, for I have not fully advised with my lord chancellor concerning it, but I will advertise it in time.

I send his majesty the lord steward's commission in two several instruments, the one to remain with my lord chancellor, which is that which is written in secretary-hand for his warrant, and is to pass the signet; the other, that whereunto the great seal is to be affixed, which is in chancery-hand: his majesty is to sign them both, and to transmit the former to the signet, if the secretaries either of them be there; and both of them are to be returned to me with all speed. I ever rest,

Your true and devoted servant,

FR. BACON.

May 5, 1616.

CXLI. TO THE KING, ABOUT SOMERSET'S EXAMINATION[1].

IT MAY PLEASE YOUR MAJESTY,

WE have done our best endeavours to perform your majesty's commission, both in matter and manner, for the examination of my lord of Somerset; wherein that which passed, for the general, was to this effect; That he was to know his own case, for that his day of trial

[1] Stephens's First Collection, p. 124.

could not be far off; but that this day's work was that which would conduce to your majesty's justice little or nothing, but to your mercy much, if he did lay hold upon it; and therefore might do him good, but could do him no hurt. For as for your justice, there had been taken great and grave opinion, not only of such judges as he may think violent, but of the most sad and most temperate of the kingdom, who ought to understand the state of the proofs, that the evidence was full to convict him, so as there needeth neither confession, nor supply of examination. But for your majesty's mercy, although he were not to expect we should make any promise, we did assure him, that your majesty was compassionate of him if he gave you some ground whereon to work; that as long as he stood upon his innocency and trial, your majesty was tied in honour to proceed according to justice; and that he little understood, being a close prisoner, how much the expectation of the world, besides your love to justice itself, engaged your majesty, whatsoever your inclinations were: but nevertheless that a frank and clear confession might open the gate of mercy, and help to satisfy the point of honour.

That his lady, as he knew, and that after many oaths and imprecations to the contrary, had nevertheless in the end, being touched with remorse, confessed; that she that led him to offend, might lead him likewise to repent of his offence: that the confession of one of them could not fitly do either of them much good, but the confession of both of them might work some farther effect towards both: and therefore, in conclusion, we wished him not to shut the gate of your majesty's mercy against himself, by being obdurate any longer. This was the effect of that which was spoken, part by one of us, part by another, as it fell out; adding farther, that he might well discern who spake in us in the course we held; for that commissioners for examination might not presume so far of themselves.

Not to trouble your majesty with circumstances of his answers, the sequel was no other, but that we found him still not to come any degree farther on to confess; only his behaviour was very sober, and modest, and mild,

differing apparently from other times, but yet, as it seemed, resolved to have his trial.

Then did we proceed to examine him upon divers questions touching the empoisonment, which indeed were very material and supplemental to the former evidence; wherein either his affirmatives gave some light, or his negatives do greatly falsify him in that which is apparently proved.

We made this farther observation; that when we asked him some question that did touch the prince or some foreign practice, which we did very sparingly at this time, yet he grew a little stirred, but in the questions of the empoisonment very cold and modest. Thus not thinking it necessary to trouble your majesty with any farther particulars, we end with prayer to God ever to preserve your majesty.

Your majesty's most loyal and faithful servant,

FR. BACON.

Postscript. If it seem good unto your majesty, we think it not amiss some preacher, well chosen, had access to my lord of Somerset for his preparing and comfort, although it be before his trial.

CXLII. AN EXPOSTULATION TO THE LORD CHIEF JUSTICE COKE[1].

MY VERY GOOD LORD,

THOUGH it be true, that "he who considereth the wind and the rain, shall neither sow nor reap;" yet "there is a season for every action," and so "there is a time to speak, and a time to keep silence[2]." There is a time when the words of a poor simple man may profit; and that poor man in "The Preacher," which delivered the city by his wisdom, found that without this opportunity the owner both of wisdom and eloquence lose but their labour, and cannot charm the deaf adder. God therefore, before his Son that bringeth mercy, sent his

[1] Stephens's First Collection, p. 126. [2] Eccles. xi. 4.

servant the trumpeter of repentance to level every high hill, to prepare the way before him, making it smooth and straight: and as it is in spiritual things, where Christ never comes before his way-maker hath laid even the heart with sorrow and repentance, since self-conceited and proud persons think themselves too good and too wise to learn of their inferiors, and therefore need not the physician; so in the rules of earthly wisdom, it is not possible for nature to attain any mediocrity of perfection, before she be humbled by knowing herself and her own ignorance. Not only knowledge, but also every other gift, which we call the gifts of fortune, have power to puff up earth: afflictions only level these mole-hills of pride, plough the heart, and make it fit for wisdom to sow her seed, and for grace to bring forth her increase. Happy is that man therefore, both in regard of heavenly and earthly wisdom, that is thus wounded to be cured, thus broken to be made straight; thus made acquainted with his own imperfections that he may be perfected.

Supposing this to be the time of your affliction, that which I have propounded to myself is, by taking this seasonable advantage, like a true friend, though far unworthy to be counted so, to shew you your true shape in a glass; and that not in a false one to flatter you, nor yet in one that should make you seem worse than you are, and so offend you; but in one made by the reflection of your own words and actions; from whose light proceeds the voice of the people, which is often not unfitly called the voice of God. But therein, since I have purposed a truth, I must intreat liberty to be plain, a liberty, that at this time I know not whether or no I may use safely, I am sure at other times I could not; yet of this resolve yourself, it proceedeth from love and a true desire to do you good; that you knowing the general opinion, may not altogether neglect or contemn it, but mend what you find amiss in yourself, and retain what your judgment shall approve; for to this end shall truth be delivered as naked as if yourself were to be anatomised by the hand of opinion. All men can see their own profit, that part of the wallet hangs before. A true friend (whose wor-

thy office I would perform, since, I fear both yourself and all great men want such, being themselves true friends to few or none) is first to shew the other, and which is from your eyes.

First therefore behold your errors. In discourse you delight to speak too much, not to hear other men; this, some say, becomes a pleader, not a judge; for by this sometimes your affections are entangled with a love of your own arguments, though they be the weaker; and rejecting of those, which, when your affections were settled, your own judgment would allow for strongest. Thus while you speak in your own element, the law, no man ordinarily equals you; but when you wander, as you often delight to do, you wander indeed, and give never such satisfaction as the curious time requires. This is not caused by any natural defect, but first for want of election, when you having a large and fruitful mind, should not so much labour what to speak, as to find what to leave unspoken: rich soils are often to be weeded.

Secondly, You cloy your auditory when you would be observed; speech must be either sweet or short.

Thirdly, you converse with books, not men, and books especially human; and have no excellent choice with men, who are the best books: for a man of action and employment you seldom converse with, and then but with your underlings; not freely, but as a schoolmaster with his scholars, ever to teach, never to learn: but if sometimes you would in your familiar discourse hear others, and make election of such as know what they speak, you should know many of these tales you tell to be but ordinary; and many other things, which you delight to repeat and serve in for novelties, to be but stale. As in your pleadings you were wont to insult over misery, and to inveigh bitterly at the persons, which bred you many enemies, whose poison yet swelleth, and the effects now appear, so are you still wont to be a little careless in this point, to praise or disgrace upon slight grounds, and that sometimes untruly; so that your reproofs or commendations are for the most part neglected and contemned; when the censure of a judge, coming

slow but sure, should be a brand to the guilty, and a crown to the virtuous. You will jest at any man in public, without respect of the person's dignity or your own: this disgraceth your gravity, more than it can advance the opinion of your wit; and so do all actions which we see you do directly with a touch of vain-glory, having no respect to the true end. You make the law to lean too much to your opinion, whereby you shew yourself to be a legal tyrant, striking with that weapon where you please, since you are able to turn the edge any way: for thus the wise master of the law gives warning to young students, that they should be wary, lest, while they hope to be instructed by your integrity and knowledge, they should be deceived with your skill armed with authority. Your too much love of the world is too much seen, when having the living of a thousand[1], you relieve few or none: the hand that has taken so much, can it give so little? Herein you shew no bowels of compassion, as if you thought all too little for yourself: or that God hath given you all that you have, if you think wealth to be his gift, I mean that you get well, for I know sure the rest is not, only to that end you should still gather more, and never be satisfied; but try how much you would gather, to account for all at the great and general audit-day. We desire you to amend this, and let your poor tenants in Norfolk find some comfort; where nothing of your estate is spent towards their relief, but all brought up hither, to the impoverishing of your country.

In your last, which might have been your best, piece of service to the state, affectioned to follow that old rule, which giveth justice leaden heels and iron hands, you used too many delays till the delinquents hands were loosed, and yours bound: in that work you seemed another Fabius, where the humour of Marcellus would have done better; what need you have sought more evidences than enough? while you pretended the finding out of more, missing your aim, you discredited what you had found. This best judgments think; though you never used such

[1] 10000l. Cab.

speeches as are fathered upon you, yet you might well have done it, and but rightly; for this crime was second to none, but the powder-plot: that would have blown up all at one blow, a merciful cruelty; this would have done the same by degrees, a lingering but a sure way; one might by one be called out, till all opposers had been removed.

Besides, that other plot was scandalous to Rome, making popery odious in the sight of the whole world: this hath been scandalous to the truth of the whole gospel; and since the first nullity to this instant, when justice hath her hands bound, the devil could not have invented a more mischievous practice to our state and church than this hath been, is, and is like to be. God avert the evil.

But herein you committed another fault: that as you were too open in your proceedings, and so taught them thereby to defend themselves; so you gave them time to undermine justice, and to work upon all advantages both of affections, and honour, and opportunity, and breach of friendship; which they have so well followed, sparing neither pains nor costs, that it almost seemeth an higher offence in you to have done so much indeed, than that you have done no more: you stopt the confessions and accusations of some, who perhaps, had they been suffered, would have spoken enough to have removed some stumbling-blocks out of your way; and that you did not this in the favour of any one, but of I know not what present unadvised humours, supposing enough behind to discover all; which fell not out so. Howsoever, as the apostle saith in another case, "you went not rightly to the truth;" and therefore, though you were to be commended for what you did, yet you were to be reprehended for many circumstances in the doing; and doubtless God hath an eye in this cross to your negligence, and the briers are left to be pricks in your sides and thorns in your eyes. But that which we commend you for, are those excellent parts in nature, and knowledge in the law, which you are endowed withal; but these are only good in their good use. Wherefore we thank you heartily for standing stoutly in the commonwealth's behalf; hoping it proceedeth not from a disposition to oppose greatness,

as your enemies say, but to do justice, and deliver truth indifferently without respect of persons; and in this we pray for your prosperity, and are sorry that your good actions should not always succeed happily. But in the carriage of this you were faulty; for you took it in hand in an evil time, both in respect of the present business which was interrupted, and in regard of his present sickness whom it concerned, whereby you disunited your strength, and made a gap for the enemies to pass out at, and to return and assault you.

But now since the case so standeth, we desire you to give way to power, and so to fight that you be not utterly broken, but reserved entirely to serve the commonwealth again, and to do what good you can, since you cannot do all the good you would; and since you are fallen upon this rock, cast out the goods to save the bottom; stop the leaks and make towards land; learn of the steward to make friends of the unrighteous mammon. Those Spaniards in Mexico who were chased of the Indians, tell us what to do with our goods in our extremity; they being to pass over a river in their flight, as many as cast away their gold swam over safe; but some more covetous, keeping their gold, were either drowned with it, or overtaken and slain by the savages: you have received, now learn to give. The beaver learns us this lesson, who being hunted for his stones, bites them off: you cannot but have much of your estate, pardon my plainness, ill got; think how much of that you never spake for, how much by speaking unjustly or in unjust causes. Account it then a blessing of God, if thus it may be laid out for your good, and not left for your heir, to hasten the wasting of much of the rest, perhaps of all: for so we see God oftentimes proceeds in judgment with many hasty gatherers: you have enough to spare, being well laid, to turn the tide, and fetch all things again. But if you escape, I suppose it worthy of an *If*, since you know the old use, that none called in question must go away uncensured, yet consider that accusations make wounds, and leave scars; and though you see the toil behind your back, yourself free, and the covert before, yet remember there are stands: trust not a reconciled enemy; but

think the peace is but to secure you for farther advantage, or expect a second and a third encounter; the main battle, the wings are yet unbroken, they may charge you at an instant, or Death before them; walk therefore circumspectly, and if at length, by means of our endeavours and yours, you recover the favour that you have lost; give God the glory in action, not in words only; and remember us with sense of your past misfortune, whose estate hath, and may hereafter lie in the power of your breath.

There is a great mercy in dispatch, delays are tortures, wherewith by degrees we are rent out of our estates [1]; do not you, if you be restored, as some others do, fly from the service of virtue to serve the time, as if they repented their goodness, or meant not to make a second hazard in God's house; but rather let this cross make you zealous in God's cause, sensible in ours, and more sensible in all; which express thus. You have been a great enemy to papists, if you love God be so still, but more indeed than heretofore; for much of your zeal was heretofore wasted in words: call to remembrance that they were the persons that prophesied of that cross of yours long before it happened; they saw the storm coming, being the principal contrivers and furtherers of the plot, the men that blew the coals, heat the iron, and made all things ready; they owe you a good turn, and will, if they can, pay it you; you see their hearts by their deeds, prove then your faith so to: the best good work you can do, is to do the best you can against them, that is, to see the law severely, justly, and diligently executed.

And now we beseech you, my lord, be sensible both of the stroke and hand that striketh; learn of David to leave Shimei, and call upon God; he hath some great work to do, and he prepareth you for it; he would neither have you faint, nor yet bear this cross with a stoical resolution: there is a Christian mediocrity worthy of your greatness. I must be plain, perhaps rash; had some

[1] My lord Bacon observes elsewhere, that the Scripture saith, there be that turn judgment into wormwood; and saith he, surely there be "also that turn it into vinegar; for injustice maketh it bitter, and delays make it sour," Essay LVI. Vol. II. p. 370.

notes which you had taken at sermons been written in your heart to practise, this work had been done long ago, without the envy of your enemies; but when we will not mind ourselves, God, if we belong to him, takes us in hand; and because he seeth that we have unbridled stomachs, therefore he sends outward crosses, which while they cause us to mourn, do comfort us, being assured testimonies of his love that sends them. To humble ourselves therefore before God is the part of a Christian; but for the world and our enemies the counsel of the poet is apt,

Tu ne cede malis, sed contra audentior ito [1].

The last part of this counsel you forget, yet none need be ashamed to make use of it, that so being armed against casualties, you may stand firm against the assaults on the right hand, and on the left. For this is certain, the mind that is most prone to be puft up with prosperity, is most weak and apt to be dejected with the least puff of adversity. Indeed she is strong enough to make an able man stagger, striking terrible blows: but true Christian wisdom gives us armour of proof against all assaults, and teacheth us in all estates to be content: for though she cause our truest friends to declare themselves our enemies; though she give heart then to the most cowardly to strike us; though an hour's continuance countervails an age of prosperity; though she cast in our dish all that ever we have done; yet hath she no power to hurt the humble and wise, but only to break such as too much prosperity hath made stiff in their own thoughts, but weak indeed; and fitted for renewing: when the wise rather gather from thence profit and wisdom; by the example of David, who said, "Before I was chastised I went astray." Now then he that knoweth the right way, will look better to his footing. Cardan saith, that weeping, fasting, and sighing, are the chief purges of grief; indeed naturally they do assuage sorrow: but God in this case is the only and best physician; the means he hath ordained are the advice of friends, the amendment of ourselves: for amendment is both physician and cure. For friends, although

[1] Æneid. vi. 95.

your lordship be scant, yet I hope you are not altogether destitute; if you be, do but look upon good books: they are true friends, that will neither flatter nor dissemble: be you but true to yourself, applying that which they teach unto the party grieved, and you shall need no other comfort nor counsel. To them, and to God's holy Spirit, directing you in the reading of them, I commend your lordship; beseeching him to send you a good issue out of these troubles, and from henceforth to work a reformation in all that is amiss, and a resolute perseverance, proceeding, and growth, in all that is good; and that for his glory, the bettering of yourself, this church, and commonwealth; whose faithful servant whilst you remain,

I remain a faithful servant to you,

FR. BACON.

CXLIII. TO SIR GEORGE VILLIERS [1].

SIR,

THE time is, as I should think, now or never, for his majesty to finish his good meaning towards me; if it please him to consider, what is past, and what is to come.

If I would tender my profit, and oblige men unto me by my place and practice, I could have more profit than I could devise; and could oblige all the world, and offend none; which is a brave condition for a man's private. But my heart is not on these things. Yet on the other side I would be sorry that worthless persons should make a note that I get nothing but pains and enemies; and a little popular reputation, which followeth me whether I will or no. If any thing be to be done for yourself, I should take infinite contentment, that my honour might wait upon yours; but I would be loth it should wait upon any man's else. If you would put your strength to this business, it is done; and that done many things more will begin. God keep you ever. I rest

Your true and devoted servant,

FR. BACON.

May 30, 1616.

[1] Rawley's Resuscitatio.

CXLIV. TO THE KING, ABOUT THE COMMENDAMS[1].

MAY IT PLEASE YOUR MOST EXCELLENT MAJESTY,

I AM not swift to deliver any thing to your majesty before it be well weighed. But now that I have informed myself of as much as is necessary touching this proceeding of the judges to the argument of the Commendams, notwithstanding your majesty's pleasure signified by me, upon your majesty's commandment in presence of my lord chancellor and the bishop of Winchester, to the contrary, I do think it fit to advertise your majesty what hath passed; the rather, because I suppose the judges, since they performed not your commandment, have at least given your majesty their reasons of failing therein; I being to answer for the doing your majesty's commandment, and they for the not doing.

I did conceive, that in a cause that concerned your majesty and your royal power, the judges having heard your attorney-general argue the Saturday before, would of themselves have taken farther time to be advised.

And, if I fail not in memory, my lord Coke received from your majesty's self, as I take it, a precedent commandment in Hilary term, that both in the *rege inconsulto*, and in the Commendams, your attorney should be heard to speak, and then stay to be made of farther proceedings, till my lord had spoken with your majesty.

Nevertheless, hearing that the day appointed for the judges argument held, contrary to my expectation, I sent on Thursday in the evening, having received your majesty's commandment but the day before in the afternoon, a letter to my lord Coke; whereby I let him know, that upon some report of my lord of Winchester, who by your commandment was present at my argument of that which passed, it was your majesty's express pleasure, that no farther proceedings should be, until you had conferred with your judges: which your majesty thought to have done at your being now last in town; but by reason of your many and weighty occasions, your princely times would not serve; and that it was your pleasure

[1] Stephens's First Collection, p. 137.

he should signify so much to the rest of the judges, whereof his lordship might not fail. His answer by word to my man was, that it were good the rest of the judges understood so much from myself: whereupon I, that cannot skill of scruples in matter of service, did write on Friday three several letters of like content to the judges of the common pleas, and the barons of the exchequer, and the other three judges of the king's bench, mentioning in that last my particular letter to my lord chief justice.

This was all I did, and thought all had been sure; in so much as the same day being appointed in chancery for your majesty's great cause, followed by lord Hunsden [1], I writ two other letters to both the chief justices, to put them in mind of assisting my lord chancellor at the hearing. And when my lord chancellor himself took some notice upon that occasion openly in the chancery, that the Commendams could not hold presently after, I heard the judges were gone about the Commendams; which I thought at first had been only to adjourn the court, but I heard after that they proceeded to argument.

In this their doing, I conceive they must either except to the nature of the commandment, or to the credence thereof; both which, I assure myself, your majesty will maintain.

For if they should stand upon the general ground, "Nulli negabimus, nulli differemus justitiam [2]," it receiveth two answers. The one, that reasonable and mature advice may not be confounded with delay; and that they can well alledge when it pleaseth them. The other is, that there is a great difference between a case merely between subject and subject, and where the king's interest is in question directly or by consequence. As for the attorney's place and commission, it is as proper for him to signify the king's pleasure to the judges, as for the secretary to signify the same to the privy-council; and so it hath ever been.

These things were a little strange if there came not

[1] This case is reported by my lord Hobart, p. 109. [2] Mag. Chart.

so many of them together, as the one maketh the other seem less strange: but your majesty hath fair occasions to remedy all with small aid; I say no more for the present.

I was a little plain with my lord Coke in these matters; and when his answer was, that he knew all these things; I said he could never profit too much in knowing himself and his duty. God ever preserve your majesty.

CXLV. A MEMORIAL FOR HIS MAJESTY, CORRECTED WITH SIR FR. BACON'S OWN HAND. 1616[1].

It seemeth this year of the fourteenth of his majesty's reign, being a year of a kind of majority in his government, is consecrated to justice[2]: which as his majesty hath performed to his subjects in this late memorable occasion, so he is now to render and perform to himself his crown and posterity.

That his council shall perceive by that which his majesty shall now communicate with them, that the mass of his business is continually prepared in his own royal care and cogitations, howsoever he produceth the same to light, and to act "per opera dierum[3]."

That his majesty shall make unto them now a declarative of two great causes, whereof he doubteth not they have heard by glimpses; the one concerning his high court of chancery, the other concerning the church and prelacy; but both of them deeply touching his prerogative and sovereignty, and the flowers of his crown.

That about the end of Hilary term last, there came to his majesty's ears, only by common voice and report, not

[1] Stephens's First Collection, p. 140.

[2] By the laws, several ages are assigned to persons for several purposes: and by the common law the fourteenth year is a kind of majority, and accounted an age of discretion. At that time a man may agree or disagree to a precedent marriage: the heir in socage may reject the guardian appointed by law, and choose a new one: and the woman at that age shall be out of ward, etc. *Stephens.*

[3] "Per opera dierum," alluding to the gradations Almighty God was pleased to observe in the creating of the world. In this paragraph Sir Francis Bacon insinuates, what he expressly declares Vol. II. Essay xlvii. p. 358, that in all negotiations of difficulty a man must first prepare business, and so ripen it by degrees. *Stephens.*

without great rumour and wonder, that there was somewhat done in the king's bench the last day of that term, whereby his chancery should be pulled down, and be brought in question for *præmunire;* being the most heinous offence after treason, and felony, and misprision of treason: and that the time should be when the chancellor lay at the point of death.

That his majesty was so far from hearing of this by any complaint from his chancellor, who then had given over worldly thoughts, that he wrote letters of comfort to him upon this accident, before he heard from him; and for his attorney, his majesty challenged him for not advertising him of that, of which it was proper for his majesty to be informed from him.

That his majesty being sensible of this so great novelty and perturbation in his courts of justice, nevertheless used this method and moderation, that before he would examine this great affront and disgrace offered to his chancery and chancellor, he would first inform himself whether the chancery or chancellor were in fault; and whether the former precedents of chancery did warrant the proceedings there after judgment passed at common law, which was the thing in question, and thereupon his majesty called his learned counsel to him, and commanded them to examine the precedents of chancery, and to certify what they found: which they did; and by their certificate it appeareth, that the precedents of that kind were many and precise in the point, and constant, and in good times, and allowed many times by the judges themselves.

That after this his majesty received from the lord chancellor a case, whereby the question was clearly set down and contained within the proper bounds of the present doubt; being, Whether upon apparent matter of equity, which the judges of the law by their place and oath cannot meddle with or relieve, if a judgment be once passed at common law, the subject shall perish, or that the chancery shall relieve him; and whether there be any statute of *præmunire* or other, to restrain this power in the chancellor; which case, upon the request of the lord chancellor, his majesty likewise referred to his learned counsel, and the prince's attorney Mr. Walter was joined.

with them, who, upon great advice and view of the original records themselves, certified the chancery was not restrained by any statute in that case.

That his majesty again required his learned counsel to call the clerks of the king's bench to them, and to receive from them any precedents of indictments in the king's bench against the chancery for proceeding in the like case; who produced only two precedents, being but indictments offered or found, upon which there was no other proceeding; and the clerks said, they had used diligence and could find no more.

That his majesty, after he had received this satisfaction that there was ground for that the chancery had done, and that the chancery was not in fault, he thought then it was time to question the misdemeanor and contempt in scandalizing and dishonouring his justice in that high court of chancery in so odious a manner; and commanded his attorney-general, with the advice of the rest of his learned counsel, to prosecute the offenders in the star-chamber, which is done; and some of them are fled, and others stand out and will not answer.

That there resteth only one part more towards his majesty's complete information in this cause: which is to examine that which was done in open court the said last day of Hilary term, and whether the judges of the King's Bench did commit any excess of authority; or did animate the offenders otherwise than according to their duty and place; which inquiry, because it concerneth the judges of a court to keep order and decorum, his majesty thinketh not so convenient to use his learned counsel therein, but will commit the same to some of the council-table, and his learned counsel to attend them.

This declared, or what else his majesty in his own high wisdom shall think good; it will be fit time to have the certificate of the learned counsel openly read.

His majesty may, if he please, forbear to publish at this time at the table the committees; but signify his pleasure to themselves afterwards.

The committees named by his majesty, were the archbishop of Canterbury, secretary Lake, the chancellor of the exchequer, and the master of the rolls.

This report is to be prefixed, to be given in by Wednes-

day at night, that his majesty may communicate it with his council, and take farther order on Thursday thereupon, if his majesty be so pleased.

At this declaration, it is his majesty's direction, to the end things may appear to be the more evenly carried, that neither my lord chancellor nor my lord chief justice be present.

But then when his majesty entereth into the second declarative, my lord chancellor is to be called for; but my lord chief justice not; because it concerneth him.

For the second declarative: that his majesty hath reason to be offended and grieved, in that which passed touching the Commendams, both in matter and manner: for the matter, that his majesty's religious care of the Church and of the prelacy, and namely, of his lords spiritual the bishops, may well appear, first, in that he hath utterly expelled those sectaries or inconformable persons that spurned at the government; secondly, that by a statute made in the first year of his reign, he hath preserved their livings from being wasted and dilapidated by long leases, and therein bound himself and his crown and succession; and lastly, that they see two bishops privy counsellors at the table, which hath not been of late years.

That agreeably to this his majesty's care and good affection, hearing that there was a case of the bishop of Lincoln's, wherein his majesty's supreme power of granting Commendams, which in respect of the exility of bishopricks is sometimes necessary, was questioned to be overthrown or weakened; he commanded his attorney-general, not only to have care to maintain it according to his place, but also that he should relate to his majesty how things passed; and did also command the bishop of Winchester to be present at the public argument of the case; and to report to his majesty the true state of that question, and how far it extended.

This being accordingly done; then upon report of the bishop of Winchester in presence of the lord chancellor, his majesty thought it necessary, that before the judges proceeded to declare their opinion they should have conference with his majesty, to the end to settle some course, that justice might be done, and his regal power, whereof

his crown had been so long vested, not touched nor diminished: and thereupon commanded his attorney, who by his place ought properly to signify his majesty's pleasure to his judges, as his secretary doth to his privy council, in the presence of the lord chancellor and the bishop, to signify his pleasure to the judges, that because his majesty thought it needful to consult with them in that case before they proceeded to judgment; and that his majesty's business, as they all knew, was very great, and Midsummer term so near at hand, and the cause argued by his attorney so lately, they should put off the day till they might advise with his majesty at his next coming to town. That his majesty's attorney signified so much by his letters, the next day after he had received his commandment, to all the judges, and that in no imperious manner, but alledging the circumstances aforesaid, that the case was lately argued, his majesty's business great, another term at hand, etc.

Now followeth the manner that was held in this, which his majesty conceiveth was not only indiscreet, but presumptuous and contemptuous.

For first, they disobeyed this his majesty's commandment, and proceeded to public argument notwithstanding the same; and thought it enough to certify only their mind to his majesty.

Secondly, in a general letter under all their hands, howsoever it may be upon divided opinion, they alledge unto his majesty their oath; and that his majesty's commandment, for the attorney's letter was but the case that it was wrapped in, was against law; as if maturity and a deliberate proceeding were a delay, or that commandment of stay in respect of so high a question of state and prerogative, were like a commandment gotten by importunity, or in favour of a suitor.

Thirdly, above all, it is to be noted and justly doubted, that upon the contrary, in this that they have done, they have broken their oath; for their oath is to counsel the King when they shall be called; and if when the King calleth them to counsel, they will do the deed first, and give him counsel after, this is more than a simple refusal.

Lastly, it is no new thing upon divers particular occa-

sions, of a far higher nature than the consulting with their sovereign about a cause of great moment, to put off days, and yet no breach of oath. And there was another fair passage well known to my lord Coke, that he might have used if it had pleased him; for that very day was appointed for the King's great cause in the chancery, both for my lord Hobart and him; which cause ought to have had precedence afore any private cause, as they would have this seem to be.

To this letter his majesty made a most princely and prudent answer, which I leave to itself.

Upon this declaration his majesty will be pleased to have the judges letter and his own letter read.

Then his majesty, for his part as I conceive, will be pleased to ask the advice of his council as well for the stay of the new day, which is Saturday next, as for the censure and reproof of the contempt passed: for though the judges are a reverend body, yet they are, as all subjects are, corrigible.

CXLVI. TO SIR GEORGE VILLIERS[1].

SIR,

THE King giveth me a noble choice; and you are the man my heart ever told me you were. Ambition would draw me to the latter part of the choice; but in respect of my hearty wishes, that my lord chancellor may live long; and the small hopes I have, that I shall live long myself; and, above all, because I see his majesty's service daily and instantly bleedeth; towards which, I persuade myself, vainly perhaps, but yet in mine own thoughts firmly and constantly, that I shall give, when I am of the table, some effectual furtherance, as a poor thread of the labyrinth, which hath no other virtue, but an united continuance, without interruption or distraction, I do accept of the former, to be counsellor for the present, and to give over pleading at bar; let the other matter rest upon my proof, and his majesty's pleasure, and the accidents of time. For, to speak plainly, I would be loth that my lord chancellor, to whom I owe most after the King and

[1] Rawley's Resuscitatio.

yourself, should be locked to his successor, for any advancement or gracing of me. So I ever remain

Your true and most devoted and most obliged servant,

June 3, 1616. FR. BACON.

CXLVII. TO SIR GEORGE VILLIERS[1].

SIR,

I SEND his majesty a draught of the act of council concerning the judges letter, penned as near as I could to his majesty's instructions received in your presence. I then told his majesty my memory was not able to keep way with his; and therefore his majesty will pardon me for any omissions or errors, and be pleased to supply and reform the same. I am preparing some other materials for his majesty's excellent hand, concerning business that is coming on: for since his majesty hath renewed my heart within me, methinks I should double my endeavours. God ever preserve and prosper you. I rest

Your most devoted and bounden servant,

June 12, 1616. FR. BACON.

CXLVIII. TOUCHING THE COMMENDAMS[2].

At Whitehall the sixth of June, Anno 1616[3].

Present the KING'S MAJESTY.

Lord Archbishop of Cant.	Lord Wotton.
Lord Chancellor.	Lord Stanhope.
Lord Treasurer.	Lord Fenton.
Lord Privy-Seal.	Mr. Vice-Chamberlain.
Lord Chamberlain.	Mr. Secretary Lake.
Duke of Lenox.	Mr. Secretary Winwood.
Lord Zouche.	Mr. Chancellor of the Exchequer.
Bishop of Winton.	
Lord Knollys.	Master of the Rolls.

HIS majesty having this day given order for meeting of the council, and that all the judges, being twelve in

[1] Rawley's Resuscitatio. [2] Stephens's First Collection, p. 149.

[3] It is very clear, that this is the act of council referred to in the preceding letter, and drawn up by Sir Francis Bacon: which, being written in a fair manner, I accidentally bought, and have corrected several errors therein. If any remain, as I believe the reader will think there doth; it is because I had no opportunity to peruse the council-books. Stephens.

number, should be sent for to be present; when the lords were sat, and the judges ready attending, his majesty came himself in person to council, and opened to them the cause of that assembly; which was: That he had called them together concerning a question that had relation to no private person, but concerned God and the King, the power of his crown, and the state of this Church whereof he was protector; and that there was no fitter place to handle it than at the head of his council-table: that there had been a question pleaded and argued concerning Commendams; the proceedings wherein had either been mis-reported or mis-handled; for his majesty a year since had received advertisements concerning the cause in two entrances, by some that intrenched upon his prerogative royal in the general power of granting Commendams; and by others, that the doubt rested only upon a special nature of a Commendam, such as in respect of the incongruity and exorbitant form thereof might be questioned, without impeaching or weakening the general power of all.

Whereupon his majesty, willing to know the true state thereof, commanded the lord bishop of Winchester [1], and Mr. Secretary Winwood to be present at the next argument, and to report the state of the question and proceeding to his majesty. But Mr. Secretary Winwood being absent by occasion, the lord of Winchester only was present, and made information to his majesty of the particulars thereof, which his majesty commanded him to report to the board. Whereupon the lord of Winchester stood up and said, that serjeant Chiborne, who argued the cause against the Commendams, had maintained divers positions and assertions very prejudicial to his majesty's prerogative royal; as first, that the translation of bishops was against the canon law, and for authority vouched the canons of the council of Sardis; that the King had not power to grant Commendams, but in case of necessity; that there could be no necessity, because there could be no need for augmentation of living, for no man was bound to keep hospitality above his means;

[1] D. Bilson, who died June 18, 1616.

besides many other parts of his argument tending to the overthrow of his majesty's prerogative in case of Commendams.

The lord of Winchester having made his report, his majesty resume his former narrative, letting the lords know, that after the lord of Winton had made unto his majesty a report of that which passed at the argument of the cause, like in substance unto that which now had been made; his majesty apprehending the matter to be of so high a nature, commanded his attorney-general to signify his majesty's pleasure unto the lord chief justice; That in regard of his majesty's most weighty occasions, and for that his majesty held it necessary upon the lord of Winton's report, that his majesty be first consulted with, before the judges proceed to argue it; therefore the day appointed for the judges argument should be put off till they might speak with his majesty; and this letter of his majesty's attorney was, by his majesty's commandment, openly read as followeth, *in hæc verba.*

MY LORD,

"IT is the King's express pleasure, that because his majesty's time would not serve to have conference with your lordship and his judges, touching the cause of Commendams, at his last being in town; in regard of his majesty's other most weighty occasions; and for that his majesty holdeth it necessary, upon the report which my lord of Winchester, who was present at the last arguments by his majesty's royal commandment, made to his majesty, that his majesty be first consulted with, ere there be any farther proceedings by arguments by any of the judges, or otherwise; therefore that the day appointed for the farther proceedings by arguments of the judges in that case, be put off till his majesty's farther pleasure be known, upon consulting with him; and to that end, that your lordship forthwith signify his commandment to the rest of the judges: whereof your lordship may not fail: and so I leave your lordship to God's goodness."

Your loving friend to command,

This Thursday afternoon
April 25, 1616

FR. BACON.

That upon this letter received, the lord chief justice returned word to his majesty's said attorney by his servant; That it was fit the rest of his brethren should understand his majesty's pleasure immediately by letters from his said attorney to the judges of the several benches; and accordingly it was done; whereupon all the said judges assembled, and by their letter under their hands certified his majesty, that they held those letters, importing the signification aforesaid, to be contrary to law, and such as they could not yield to the same by their oath; and that thereupon they had proceeded at the day, and did now certify his majesty thereof: which letter of the judges his majesty also commanded to be openly read, the tenor whereof followeth *in hæc verba.*

MOST DREAD AND MOST GRACIOUS SOVEREIGN,

"IT may please your most excellent majesty to be advertised, that this letter here inclosed was delivered unto me your chief justice on Thursday last in the afternoon, by a servant of your majesty's attorney-general; and letters of the like effect were on the day following sent from him by his servant to us your majesty's justices of every of the courts at Westminster. We are and ever will be ready with all faithful and true hearts, according to our bounden duties, to serve and obey your majesty, and think ourselves most happy to spend our times and abilities to do your majesty true and faithful service in this present case mentioned in this letter. What information hath been made unto you, whereupon Mr. Attorney doth ground his letter, from the report of the bishop of Winton, we know not: this we know, that the true substance of the cause summarily is thus; it consisteth principally upon the construction of two acts of parliament, the one of the twenty-fifth year of K. Edw. III. and the other of the twenty-fifth year of K. Hen. VIII. whereof your majesty's judges upon their oaths, and according to their best knowledge and learning, are bound to deliver their true understanding faithfully and uprightly; and the case between two for private interest and inheritance earnestly called on for

justice and expedition. We hold it our duty to inform your majesty, that our oath is in these express words: That in case any letters come unto us contrary to law, that we do nothing by such letters, but certify your majesty thereof, and go forth to do the law, notwithstanding the same letters. We have advisedly considered of the said letter of Mr. Attorney, and with one consent do hold the same to be contrary to law, and such as we could not yield to the same by our oath, assuredly persuading ourselves that your majesty being truly informed, that it standeth not with your royal and just pleasure to give way to them: and knowing your majesty's zeal to justice to be most renowned, therefore we have, according to our oaths and duties, at the very day prefixed the last term, proceeded, and thereof certified your majesty; and shall ever pray to the Almighty for your majesty in all honour, health and happiness long to reign over us."

EDW. COKE, ED. BROMLEY,
HENRY HOBART, JOHN CROKE,
LAUR. TANFIELD, HUMPHRY WINCHE,
PET. WARBERTON, JOHN DODDERIDGE,
GEORGE SNIGGE, AUGUSTIN NICHOLLS,
JA. ALTHAM, ROBERT HOUGHTON.

Serjeant's-Inn,
25th April, 1616.

His majesty having considered of this letter, by his princely letters returned answer, reporting himself to their own knowledge and experience, what princely care he hath ever had since his coming to the crown, to have justice duly administered to his subjects, with all possible expedition; and how far he was from crossing or delaying of justice, when the interest of any private person was questioned: but on the other side expressing himself, that where the case concerned the high powers and prerogatives of the crown, he would not endure to have them wounded through the sides of a private person; admonishing them also, lastly, of a custom lately entertained, of a greater boldness to dispute the high points of his majesty's prerogative in a popular and unlawful liberty of argument more than in former times; and making them perceive also how weak and impertinent the pretence of allegation of their oath was in a case of

this nature, and how well it might have been spared; with many other weighty points in the said letter contained: which letter also by his majesty's appointment and commandment was publicly read *in hæc verba.*

JAMES REX.

"Trusty and well-beloved counsellors, and trusty and well-beloved, we greet you well. We perceive by your letter, that you conceive the commandment given you by our attorney-general in our name to have proceeded upon wrong information: but if you list to remember what princely care we have ever had, since our coming to this crown, to see justice duly administered to our subjects, with all possible expedition; and how far we have ever been from urging the delay thereof in any sort, you may safely persuade yourselves that it was no small reason that moved us to send you that direction. You might very well have spared your labour in informing us of the nature of your oath; for although we never studied the common law of England, yet are we not ignorant of any points which belong to a King to know: we are therefore to inform you hereby, that we are far from crossing or delaying any thing which may belong to the interest of any private party in this case; but we cannot be contented to suffer the prerogative royal of our crown to be wounded through the sides of a private person: we have no care at all which of the parties shall win this process in this case, so that right prevail, and that justice be truly administered. But on the other side, we have reason to foresee that nothing be done in this case which may wound our prerogative in general; and therefore so that we may be sure that nothing shall be debated amongst you which may concern our general power of giving Commendams, we desire not the parties to have one hour's delay of justice: but that our prerogative should not be wounded in that regard for all times hereafter, upon pretext of private persons interest, we sent you that direction; which we account as well to be wounded if it be publicly disputed upon, as if any sentence were given against it: we are therefore to admonish you, that since the prerogative of our crown hath been

justice and expedition. We hold it our duty to inform your majesty, that our oath is in these express words: That in case any letters come unto us contrary to law, that we do nothing by such letters, but certify your majesty thereof, and go forth to do the law, notwithstanding the same letters. We have advisedly considered of the said letter of Mr. Attorney, and with one consent do hold the same to be contrary to law, and such as we could not yield to the same by our oath, assuredly persuading ourselves that your majesty being truly informed, that it standeth not with your royal and just pleasure to give way to them: and knowing your majesty's zeal to justice to be most renowned, therefore we have, according to our oaths and duties, at the very day prefixed the last term, proceeded, and thereof certified your majesty; and shall ever pray to the Almighty for your majesty in all honour, health and happiness long to reign over us."

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off any hearing or proceeding upon any just or necessary cause, is no denying or delaying of justice, but wisdom and maturity of proceeding; and that there cannot be a more just and necessary cause of stay, than the consulting with the king, where the cause concerns the crown; and that the judges did daily put off causes upon lighter occasions; and likewise his majesty did desire to know of the judges, how his calling them to consult with him was contrary to law, which they could never answer unto.

Secondly, That it was no bare supposition or surmise, that this cause concerned the king's prerogative; for that it had been directly and plainly disputed at the bar; and the very disputing thereof in a public audience is both dangerous and dishonourable to his majesty.

Thirdly, That the manner of the putting off that which the King required, was not infinite nor long time, but grounded upon his majesty's weighty occasions, which were notorious; by reason whereof he could not speak with the judges before the argument; and that there was a certain expectation of his majesty's return at Whitsuntide: and likewise that the cause had been so lately handled and argued, and would not receive judgment by the Easter term next, as the judges themselves afterwards confessed.

And afterwards, because there was another just cause of absence for the two chief justices, for that they ought to have assisted the lord chancellor the same day in a great cause of the king's followed by the lord Hunsdon against the lord William Howard in chancery; which cause of the king's, especially being so worthy, ought to have had precedency before any cause betwixt party and party. Also whereas it was contained in the judges letter that the cause of Commendams was but a cause of private interest between party and party, his majesty shewed plainly the contrary; not only by the argument of serjeant Chiborne, which was before his commandment, but by the argument of the judges themselves, namely justice Nicholls, which was after; but especially since one of the parties is a bishop who pleaded for the Commendams by the virtue of his majesty's prerogative.

Also whereas it was contained in the judges letter,

that the parties called upon them earnestly for justice, his majesty conceived it to be but pretence; urging them to prove that there was any solicitation by the parties for expedition, otherwise than in an ordinary course of attendance; which they could not prove.

As for the form of the letter, his majesty noted, that it was a new thing, and very indecent and unfit for subjects to disobey the king's commandment, but most of all to proceed in the mean time, and to return to him a bare certificate; whereas they ought to have concluded with the laying down and representing of their reasons modestly to his majesty, why they should proceed; and so to have submitted the same to his princely judgment, expecting to hear from him whether they had given him satisfaction.

After this his majesty's declaration, all the judges fell down upon their knees, and acknowledged their error for matter and form, humbly craving his majesty's gracious favour and pardon for the same.

But for the matter of the letter, the lord chief justice of the king's bench entered into a defence thereof; the effect whereof was, that the stay required by his majesty was a delay of justice, and therefore contrary to law and the judges oath; and that the judges knew well amongst themselves, that the case, as they meant to handle it, did not concern his majesty's prerogative of granting of Commendams: and that if the day had not held by the not coming of the judges, the suit had been discontinued, which had been a failing of justice, and that they could not adjourn it, because Mr. Attorney's letter mentioned no day certain, and that an adjournment must always be to a day certain.

Unto which answer of the chief justice his majesty did reply; that for the last conceit, it was mere sophistry, for that they might in their discretions have prefixed a convenient day, such as there might have been time for them to consult with his majesty before, and that his majesty left that point of form to themselves.

And for that other point, that they should take upon them peremptorily to discern whether the plea concerned the king's prerogative, without consulting with his ma-

jesty first, and informing his princely judgment, was a thing preposterous; for that they ought first to have made that appear to his majesty, and so to have given him assurance thereof upon consulting with him.

And for the matter, that it should be against the law and against their oath, his majesty said he had spoken enough before; unto which the lord chief justice in effect had made no answer, but only insisted upon the former opinion; and therefore the king required the lord chancellor to deliver his opinion upon that point, Whether the stay that had been required by his majesty were contrary to law, or against the judges oath.

The chancellor stood up and moved his majesty, that because this question had relation to matter of law, his majesty would be informed by his learned counsel first, and they first to deliver their opinions, which his majesty commanded them to do.

Whereupon his majesty's attorney-general gave his opinion, that the putting off of the day in manner as was required by his majesty, to his understanding was without all scruple no delay of justice, nor danger of the judges oath; insisting upon some of the reasons which his majesty had formerly opened, and adding, that the letter that he had formerly written by his majesty's command was no imperious letter; as to say his majesty for certain causes, or for causes known to himself, would have them put off the day: but fairly and plainly expressed the causes unto them; for that the king conceived upon my lord of Winton's report, that the cause concerned him: and that his majesty would have willingly spoken with them before, but by reason of his important business could not; and therefore required a stay till they might conveniently speak with him, which they knew could not be long. And in conclusion of his speech wished the judges to consider seriously with themselves, whether they were not in greater danger of breach of their oaths by the proceedings, than they would have been by their stay; for that it is part of their oath to counsel his majesty when they are called; and if they will proceed first in a business whereupon they are called to counsel, and will counsel him when the matter is past,

it is more than a simple refusal to give him counsel; and so concluded his speech, and the rest of the learned counsel consented to his opinion.

Whereupon the lord chief justice of the king's bench, answering nothing to the matter, took exception that the king's counsel learned should plead or dispute with the judges; for he said they were to plead before judges, and not to dispute with them. Whereunto the king's attorney replied, that he found that exception strange; for that the king's learned counsel were by oath and office, and much more where they had the king's express commandment, without fear of any man's face, to proceed or declare against any the greatest peer or subject of the kingdom; and not only any subject in particular, but any body of subjects or persons, were they judges, or were they of an upper or lower house of parliament, in case they exceed the limits of their authority, or took any thing from his majesty's royal power or prerogative; and so concluded, that this challenge, and that in his majesty's presence, was a wrong to their places, for which he and his fellows did appeal to his majesty for reparation. And thereupon his majesty did affirm, that it was their duty so to do, and that he would maintain them therein, and took occasion afterward again to speak of it; for when the lord chief justice said, he would not dispute with his majesty, the king replied, That the judges would not dispute with him, nor his learned counsel might not dispute with them: so whether they did well or ill, it must not be disputed.

After this the lord chancellor declared his mind plainly and clearly, that the stay that had been by his majesty required, was not against the law, nor a breach of the judges oath, and required that the judges oath itself might be read out of the statute, which was done by the king's solicitor, and all the words thereof weighed and considered.

Thereupon his majesty and the lords thought good to ask the judges severally their opinions; the question being put in this manner; Whether, if at any time, in a case depending before the judges, his majesty conceived it to concern him either in power or profit, and

thereupon required to consult with them, and that they should stay proceedings in the mean time, they ought not to stay accordingly? They all, the lord chief justice only excepted, yielded that they would, and acknowledged it to be their duties so to do; only the lord chief justice of the king's bench said for answer, that when the case should be, he would do that which should be fit for a judge to do. And the lord chief justice of the common pleas, who had assented with the rest, added, that he would ever trust the justice of his majesty's commandment. After this was put to a point, his majesty thought fit, in respect of the farther day of argument, appointed the Saturday following for the Commendams, to know from his judges what he might expect from them concerning the same. Whereupon the lord of Canterbury breaking the case into some questions, his majesty did require his judges to deal plainly with him, whether they meant in their argument to touch the general power of granting Commendams, yea or no? Whereupon all the said judges did promise and assure his majesty, that in the argument of the said case of Commendams, they would speak nothing which should weaken or draw into doubt his majesty's prerogative for granting of them; but intended particularly to insist upon the points of *lapse* and other judicial points of this case, which they conceived to be of a form differing from all other Commendams which have been practised.

The judges also went farther, and did promise his majesty, that they would not only abstain from speaking any thing to weaken his majesty's prerogative of Commendams, but would directly and in plain terms affirm the same, and correct the erroneous and bold speeches which had been used at the bar in derogation thereof.

Also the judges did in general acknowledge and profess with great forwardness, that it was their duty, if any counsellor at the law presumed at any time to call in question his majesty's high prerogative, that they ought to reprehend them and silence them; and all promised so to do hereafter.

Lastly, the two judges that were then next to argue,

Mr. Justice Dodderidge and Mr. Justice Winch, opened themselves unto his majesty thus far; that they would insist chiefly upon the *lapse*, and some points of uncertainty, repugnancy, and absurdity, being peculiar to this Commendam; and that they would shew their dislike of that which had been said at the bar for the weakening of the general power; and Mr. Justice Dodderidge said he would conclude for the king, that the church was void and in his majesty's gift; he also said that the king might give a Commendam to a bishop, either before or after his consecration, and that he might give it him during his life, or for a certain number of years.

The judges having thus far submitted and declared themselves, his majesty commanded them to keep the bounds and limits of their several courts, not to suffer his prerogative to be wounded by rash and unadvised pleading before them, or by new invention of law; for as he well knew the true and ancient common law is the most favourable for kings of any law in the world; so he advised them to apply their studies to that ancient and best law, and not to extend the power of any other of their courts beyond their due limits; following the precedents of their best ancient judges in the times of the best government; and that then they might assure themselves that he, for his part, in his protection of them, and expediting of justice, would walk in the steps of ancient and best kings. Whereupon he gave them leave to proceed in their argument.

When the judges were removed, his majesty that had forborn to ask the voices and opinions of his council before the judges, because he would not prejudicate the freedom of the judges opinion, concerning whether the stay of proceedings, that had been by his majesty required, could by any construction be thought to be within the compass of the judges oath, which they had heard read unto them, did then put the question to his council; who all with one consent did give opinion, that it was far from any colour or shadow of such interpretation, and that it was against common sense to think the contrary, especially since there is no mention made in

their oath of delay of justice, but only that they should not deny justice, nor be moved by any of the King's letters, to do any thing contrary to law or justice.

G. CANT.	W. KNOLLYS,
THO. ELLESMERE, CANC.	JOHN DIGBY,
TH. SUFFOLK,	RALPH WINWOOD,
E. WORCESTER,	THO. LAKE,
PEMBROKE,	FULKE GREVILLE,
NOTTINGHAM.	JUL. CÆSAR,
LENOX,	FRA. BACON.

CXLIX. TO SIR GEORGE VILLIERS, FOR THE RESTORING TO DR. BURGESS THE LIBERTY OF PREACHING [1].

SIR,

I DO think you may do yourself honour, and, that which is more, do a good work; if you will assist and perfect a motion begun, and that upon a good ground, both of submission and conformity, for the restoring of doctor Burgess to preach [2]; and I wish likewise, that if Gray's-Inn should think good, after he is free from the state, to choose him for their preacher, his majesty should not be against it: for certainly we should watch him well if he should fly forth; so as he cannot be placed in a more safe auditory. This may seem a trifle, but I do assure you I do scarce know a particular, wherein you may open more honest mouths to speak honour of you, than this. And I do extremely desire there may be a full cry from all sorts of people, especially the best, to speak, and to trumpet out your commendations. I pray you take it to heart, and do somewhat in it. I rest

Your devoted and bounden servant,

FR. BACON.

June 12, 1616.

[1] Rawley's Resuscitatio, and Stephens's Second Collection, p. 2.

[2] Soon after this date Dr. Burgess was presented to the parsonage of Sutton-Colfield in Warwickshire. In 1620 he attended Sir Horace Vere into the Palatinate, when that noble general conducted thither a gallant regiment, the largest for number, and greatest for quality, being much composed of gentlemen, that had been seen. *Stephens.*

CL. TO SIR GEORGE VILLIERS[1].

SIR,

THERE is a particular wherein I think you may do yourself honour, which, as I am informed, hath been laboured by my lady of Bedford[2], and put in good way by the bishop of Bath and Wells[3], concerning the restoring to preach of a famous preacher, one doctor Burgess; who, though he hath been silenced a great time, yet he hath now made such a submission touching his conformity, as giveth satisfaction. It is much desired also by Gray's-Inn, if he shall be free from the state, to choose him for their preacher: and certainly it is safer to place him there, than in another auditory, because he will be well watched, if he should any ways fly forth in his sermons beyond duty. This may seem a trifle, but, I do assure you, in opening this man's mouth to preach, you shall open every man's mouth to speak honour of you; and I confess I would have a full cry of puritans, of papists, of all the world, to speak well of you; and, besides, I am persuaded, which is above all earthly glory, you shall do God good service in it. I pray deal with his majesty in it. I rest

Your devoted and bounden servant,

FR. BACON.

June 13, 1616.

[1] Stephens's First Collection, p. 167.

[2] My lady of Bedford, so much celebrated by doctor Donne and Sir William Temple, for the admirable disposition of her garden at Moor Park, was sister and co-heir to the last lord Harrington of Exton; who dying in the entrance of the year 1614, and the 22d of his age, revived in the nation the sense it had of the loss of prince Henry, as being a young nobleman of great hopes and piety. This lady disposed of much of the estate she had from her brother: selling Burley upon the Hill in the county of Rutland to the then marquis of Buckingham, where he afterwards adorned the seat with noble structures, which were destroyed in the time of our civil wars. But this place has now recovered its ancient splendour at the expence, and by the direction of its present lord the earl of Nottingham. *Stephens.*

[3] This bishop was fifth son to Sir Edward Montague, and brother to Edward the first lord Montague of Boughton, a prelate of great learning and eloquence, and very munificent; and by some called king James's ecclesiastical favourite. In 1616 he was translated to Winchester, and dying in two years time, he was buried in the body of the abbey church of Bath, which with great cost and care he had preserved from the ruins, which time and neglect were bringing upon it. *Stephens.*

CLI. TO SIR GEORGE VILLIERS[1].

SIR,

I SEND you inclosed a warrant for my lady of Somerset's pardon, reformed in that main and material point, of inserting a clause [that she was not a principal, but an accessary before the fact, by the instigation of base persons.] Her friends think long to have it dispatched, which I marvel not at, for that in matter of life moments are numbered.

I do more and more take contentment in his majesty's choice of Sir Oliver St. John, for his deputy of Ireland, finding, upon divers conferences with him, his great sufficiency; and I hope the good intelligence, which he purposeth to hold with me by advertisements from time to time, shall work a good effect for his majesty's service.

I am wonderful desirous to see that kingdom flourish, because it is the proper work and glory of his majesty and his times. And his majesty may be pleased to call to mind, that a good while since, when the great rent and divisions were in the parliament of Ireland, I was no unfortunate remembrancer to his majesty's princely wisdom in that business. God ever keep you and prosper you.

Your true and most devoted and bounden servant,

1 July, 1616. FR. BACON.

CLII. TO SIR GEORGE VILLIERS[2].

SIR,

I THINK I cannot do better service towards the good estate of the kingdom of Ireland than to procure the king to be well served in the eminent places of law and justice; I shall therefore name unto you for the attorney's place there, or for the solicitor's place, if the new solicitor shall go up, a gentleman of mine own breeding and framing, Mr. Edward Wyrthington of Gray's-Inn; he is born to eight hundred pounds a year; he is the eldest son of a most severe justicer, amongst the recusants of Lancashire, and a man most able for law and

[1] Stephens's Second Collection, p. 3. [2] Ibid. p. 4.

peech, and by me trained in the king's causes. My ord deputy, by my description, is much in love with the man. I hear my Lord of Canterbury, and Sir Thomas Laque, should name one Sir John Beare, and some other mean men. This man I commend upon my credit, for the good of his majesty's service. God ever preserve and prosper you. I rest

Your most devoted and most bounden servant,

2 July, 1616. FR. BACON.

CLIII. TO SIR GEORGE VILLIERS, ABOUT IRISH AFFAIRS[1].

SIR,

BECAUSE I am uncertain whether his majesty will put to a point some resolutions touching Ireland, now at Windsor; I thought it my duty to attend his majesty by my letter, and thereby to supply my absence, for the renewing of some former commissions for Ireland, and the framing a new commission for the wards and the alienations, which appertain properly to me as his majesty's attorney, and have been accordingly referred by the lords. I will undertake that they are prepared with a greater care, and better application to his majesty's service in that kingdom, than heretofore they have been; and therefore of that I say no more. And for the instructions of the new deputy, they have been set down by the two secretaries, and read to the board; and being things of an ordinary nature, I do not see but they may pass.

But there have been three propositions and counsels which have been stirred, which seem to me of very great importance; wherein I think myself bound to deliver to his majesty my advice and opinion, if they should now come in question.

The first is, touching the recusant magistrates of the towns of Ireland, and the commonalties themselves their electors, what shall be done? Which consultation ariseth from the late advertisements of the two lords justices, upon the instance of the two towns, Limerick and Kilkenny; in which advertisements they represent the dan-

[1] Stephens's Second Collection, p. 5.

ger only, without giving any light for the remedy; rather warily for themselves, than agreeably to their duties and places.

In this point I humbly pray his majesty to remember, that the refusal is not of the oath of allegiance, which is not enacted in Ireland, but of the oath of supremacy, which cutteth deeper into matter of conscience. Also, that his majesty will, out of the depth of his excellent wisdom and providence, think, and, as it were, calculate with himself, whether time will make more for the cause of religion in Ireland, and be still more and more propitious; or whether deferring remedies will not make the case more difficult. For if time give his majesty advantage, what needeth precipitation to extreme remedies? But if time will make the case more desperate, then his majesty cannot begin too soon. Now, in my opinion, time will open and facilitate things for reformation of religion there, and not shut up and lock out the same. For, first, the plantations going on, and being principally of protestants, cannot but mate the other party in time: also his majesty's care in placing good bishops and divines, in amplifying the college there, and in looking to the education of wards and the like; as they are the most natural means, so are they like to be the most effectual and happy for the weeding out of popery, without using the temporal sword; so that, I think, I may truly conclude, that the ripeness of time is not yet come.

Therefore my advice in all humbleness is, that this hazardous course of proceeding, to tender the oath to the magistrates of towns, proceed not, but die by degrees. And yet, to preserve the authority and reputation of the former council, I would have somewhat done; which is, that there be a proceeding to seizure of liberties; but not by any act of power, but by *Quo warranto*, or *Scire facias;* which is a legal course; and will be the work of three or four terms; by which time the matter will somewhat cool.

But I would not, in any case, that the proceeding should be with both the towns, which stand now in contempt, but with one of them only, choosing that which

shall be thought most fit. For if his majesty proceed with both, then all the towns that are in the like case will think it a common cause; and that it is but their case to day, and their own to-morrow. But if his majesty proceed with one, the apprehension and terror will not be so strong; for they will think it may be their case as well to be spared as prosecuted: and this is the best advice that I can give to his majesty in this strait; and of this opinion seemed my lord chancellor to be.

The second proposition is this: It may be his majesty will be moved to reduce the number of his council of Ireland, which is now almost fifty, to twenty, or the like number; in respect the greatness of the number doth both embase the authority of the council, and divulge the business. Nevertheless, I do hold this proposition to be rather specious and solemn, than needful at this time; for certainly it will fill the state full of discontentment: which in a growing and unsettled estate ought not to be.

This I could wish; that his majesty would appoint a select number of counsellors there, which might deal in the improvement of his revenue, being a thing not fit to pass through too many hands, and that the said selected number should have days of sitting by themselves, at which the rest of the council should not be present; which being once settled, then other principal business of state may be handled at those sittings, and so the rest begin to be disused, and yet retain their countenance without murmur or disgrace.

The third proposition, as it is wound up, seemeth to be pretty, if it can keep promise; for it is this, that a means may be found to reinforce his majesty's army there by 500 or 1000 men; and that without any penny increase of charge. And the means should be, that there should be a commandment of a local removing, and transferring some companies from one province to another; whereupon it is supposed, that many that are planted in house and lands, will rather lose their entertainment, than remove; and thereby new men may have their pay, and yet the old be mingled in the country for the strength thereof.

In this proposition two things may be feared; the one, discontent of those that shall be put off; the other, that

the companies shall be stuffed with *Tirones*, instead of *Veterani*. I wish therefore that this proposition be well debated ere it be admitted. Thus having performed that which duty binds me to do, I commend you to God's best preservation.

Your most devoted and bounden servant,

Gorhambury, July 5, 1616. FR. BACON.

CLIV. TO THE KING[1].

IT MAY PLEASE YOUR MOST EXCELLENT MAJESTY,

ACCORDING to your commandment, I send inclosed the preface to the patent of creation of Sir George Villiers. I have not used any glaring terms, but drawn it according to your majesty's instructions, and the note which thereupon I framed, and your majesty allowed, with some additions which I have inserted. But I hope your majesty will be pleased to correct and perfect it. Your majesty will be also pleased to remember, that, if the creation shall be at Roughford, your pleasure and this draught be speedily returned: for it will ask a sending of the bill for your majesty's signature, and a sending back of the same to pass the seals, and a sending thereupon the patent itself: so it must twice be sent up and down before the day. God evermore preserve your majesty.

Your majesty's most devoted and most bounden servant,

FR. BACON.

28 July, 1616.

CLV. TO SIR GEORGE VILLIERS, ON SENDING HIS BILL FOR VISCOUNT[2].

I SEND you the bill for his majesty's signature, reformed according to his majesty's amendments, both in the two places, which, I assure you, were both altered with great judgment, and in the third place, which his majesty termed a question only. But he is an idle body that thinks his majesty asks an idle question; and therefore his majesty's questions are to be answered, by taking away the cause of the question, and not by replying.

[1] Stephens's Second Collection, p. 9. [2] Ibid. p. 10.

For the name, his majesty's will is law in those things; and to speak truth, it is a well-sounding and noble name, both here and abroad; and being your proper name, I will take it for a good sign that you shall give honour to your dignity, and not your dignity to you. Therefore I have made it viscount Villiers: and for your barony, I will keep it for an earldom; for though the other had been more orderly, yet that is as usual, and both alike good in law.

For Roper's place [1], I would have it by all means dispatched: and therefore I marvel it lingereth. It were no good manners to take the business out of my lord treasurer's hands; and therefore I purpose to write to his lordship, if I hear not from him first by Mr. Deccomb. But if I hear of any delay, you will give me leave, especially since the king named me, to deal with Sir John Roper myself; for neither I, nor my lord treasurer, can deserve any great thanks of you in this business; considering the king hath spoken to Sir John Roper, and he hath promised: and besides, the thing itself is so reasonable, as it ought to be as soon done as said. I am now gotten into the country to my house, where I have some little liberty to think of that I would think of, and not of that which other men hourly break my head withal, as it was at London. Upon this you may conclude, that most of my thoughts are of his majesty; and then you cannot be far off. God ever keep you, and prosper you. I rest always

Your true and most devoted servant,

FR. BACON.

Aug. 5, one of the happiest days, 1616.

[1] Sir John Roper, who had for many years enjoyed the place of the *chief clerk for inrolling of pleas in the court of king's bench*, esteemed to be worth about 4000l. per annum, being grown old, was prevailed with to surrender it upon being created lord Teynham, with a reservation of the profits thereof to himself during life. Upon which surrender Sir George Villiers was to have the office granted to two of his trustees for their lives, as Carr earl of Somerset was to have had before. But the lord chief justice Coke not being very forward to accept of the surrender, or make a new grant of it upon those terms, he was upon the 3d of October, 1616, commanded to desist from the service of his place, and at last removed from it upon the 15th of November following. His successor Sir Henry Montagu, third son of Sir Edward Montagu, of Boughton in Northamptonshire, recorder of London, and king's serjeant, being more complaisant, Sir John Roper resigned towards the latter end of

CLVI. TO SIR GEORGE VILLIERS, ON SENDING HIS PATENT[1].

SIR,

I have sent you now your patent of creation of lord Blechly of Blechly, and of viscount Villiers. Blechly is your own; and I liked the sound of the name better than Whaddon; but the name will be hid, for you will be called viscount Villiers. I have put them both in a patent, after the manner of the patent of arms where baronies are joined: but the chief reason was, because I would avoid double prefaces, which had not been fit: nevertheless the ceremony of robing, and otherwise, must be double. And now, because I am in the country, I will send you some of my country fruits, which with me are good meditations; which, when I am in the city, are choked with business.

After that the king shall have watered your new dignities with his bounty of the lands which he intends you, and that some other things concerning your means, which are now likewise in intention, shall be settled upon you: I do not see but you may think your private fortunes established; and therefore it is now time, that you should refer your actions chiefly to the good of your sovereign and your country. It is the life of an ox or a beast always to eat, and never to exercise; but men are born, especially Christian men, not to cram in their fortunes, but to exercise their virtues; and yet the other have been the unworthy, and sometimes the unlucky humour of great persons in our times; neither will your farther fortune be the farther off: for assure yourself, that fortune is of a woman's nature, that will sooner follow you by slighting than by too much wooing. And in this dedication of yourself to the public, I recommend unto you principally that which I think was never done since I was born; and which not done, hath bred almost a wilderness and solitude in the king's service; which is,

the same month; and Mr. Shute, and Mr. Heath, who was afterwards the king's solicitor-general, being the deputies and trustees of Sir George Villiers, were admitted. *Stephens's Introduct.* p. 37.

[1] Rawley's Resuscitatio.

that you countenance, and encourage, and advance able and virtuous men in all kinds, degrees, and professions. For in the time of some late great counsellors, when they bare the sway, able men were by design and of purpose suppressed; and though now since choice goeth better both in church and commonwealth, yet money, and turn-serving, and cunning canvasses, and importunity prevail too much. And in places of moment, rather make able and honest men yours, than advance those that are otherwise because they are yours. As for cunning and corrupt men, you must, I know, sometimes use them, but keep them at a distance; and let it appear, that you make use of them, rather than that they lead you. Above all, depend wholly, next to God, upon the king; and be ruled, as hitherto you have been, by his instructions; for that's best for yourself. For the king's care and thoughts concerning you are according to the thoughts of a great king; whereas your thoughts concerning yourself are, and ought to be, according to the thoughts of a modest man. But let me not weary you: the sum is, that you think goodness the best part of greatness; and that you remember whence your rising comes, and make return accordingly. God ever keep you.

Your true and most devoted servant,

FR. BACON.

Gorhambury, Aug. 12. 1616.

CLVII. TO THE KING, OF SIR GEORGE VILLIERS'S PATENT[1].

IT MAY PLEASE YOUR MOST EXCELLENT MAJESTY,

I HAVE sent Sir George Villiers' patent drawn again, containing also a barony; the name Blechly, which is his own, and to my thinking soundeth better than Whaddon. I have included both in one patent, to avoid a double preface, and as hath been used in the patents of earls in the like nature: nevertheless the ceremony of robing and otherwise is to be double, as is also used in the like case of earls.

[1] Rawley's Resuscitatio.

It resteth, that I express unto your majesty my great joy, in your honouring and advancing this gentleman; whom to describe, not with colours, but with true lines, I may say this; your majesty certainly hath found out and chosen a safe nature, a capable man, an honest will, generous and noble affections, and a courage well lodged, and one that I know loveth your majesty unfeignedly, and admireth you as much as is in a man to admire his sovereign upon earth. Only your majesty's school, wherein he hath already so well profited, as in this entrance upon the stage, being the time of the greatest danger, he hath not committed any manifest error, will add perfection to your majesty's comfort and the great contentment of your people. God ever preserve your majesty. I rest in all humbleness,

Your majesty's most bounden and devoted subject and servant,

FR. BACON.

Gorhambury, Aug. 12, 1616.

CLVIII. TO SIR GEORGE VILLIERS, ON SENDING HIS PATENT SEALED [1].

SIR,

I TOOK much contentment in that I perceived by your letter, that you took in so good part the freedom of my advice, and that yourself in your own nature and judgment consented therewith. There is no service comparable to good counsel; and the reason is, because no man can do so much for another, as a man may do for himself: now good counsel helpeth a man to help himself; but you have so happy a master as supplieth all. My service and good will shall not be wanting.

It was graciously and kindly done also of his majesty towards me, to tell you that you were beholden to me; but it must be then for thinking of you as I do; for otherwise, for speaking as I think, it is but the part of an honest man. I send you your patent, whereof God give you joy; and I send you here inclosed a little note of remembrance for that part of the ceremony which con-

[1] Rawley's Resuscitatio, with corrections from the original.

cerneth the patent; for as for other ceremonies, I leave to others.

My lord chancellor dispatched your patent presently upon the receipt; and writ to me, how glad he was of it, and how well he wished you. If you write to him a few words of thanks, I think, you shall do well. God keep you and prosper you. I ever rest

Your true and most devoted servant,

FR. BACON.

Gorhambury, Aug. 19, 1616.

CLIX. TO SIR GEORGE VILLIERS, ACKNOWLEDGING THE KING'S FAVOUR [1].

SIR,

I AM more and more bound unto his majesty, who, I think, knowing me to have other ends than ambition, is contended to make me judge of mine own desires. I am now beating my brains, among many cares of his majesty's business, touching the redeeming the time in this business of cloth. The great question is; how to miss, or how to mate the Flemings; how to pass by them, or how to pass over them.

In my next letter, I shall alter your stile: but I shall never whilst I breathe alter mine own stile, in being

Your true and devoted servant,

Aug. 22, 1616. FR. BACON.

CLX TO THE KING [2].

IT MAY PLEASE YOUR MOST EXCELLENT MAJESTY,

FIRST, from the bottom of my heart I thank the God of all mercy and salvation, that he hath preserved you from receiving any hurt by your fall; and I pray his divine Majesty ever to preserve you on horseback and on foot from hurt and fear of hurt.

Now touching the clothing business; for that I perceive the cloth goeth not off as it should, and that Wilt-

[1] Rawley's Resuscitatio. [2] Stephens's First Collection, p. 179.

shire is now come in with complaint, as well as Glocestershire and Worcestershire, so that this gangrene creepeth on; I humbly pray your majesty to take into your majesty's princely consideration a remedy for the present stand, which certainly will do the deed; and for any thing that I know will be honourable and convenient, though joined with some loss in your majesty's customs, which I know in a business of this quality, and being but for an interim till you may negociate, your majesty doth not esteem: and it is this:

That your majesty by your proclamation do forbid, after fourteen days, giving that time for suiting mens selves, the wearing of any stuff made wholly of silk, without mixture of wool, for the space of six months. So your majesty shall supply outward vent with inward use, specially for the finer cloths, which are those wherein the stand principally is, and which silk-weavers are likest to buy; and you shall shew a most princely care over thousands of the poor people; and besides, your majesty shall blow a horn, to let the Flemings know your majesty will not give over the chace. Again, the winter season coming on is fittest for wearing of cloth; and there is scope enough left for bravery and vanity by lacing and embroidery, so it be upon cloth or stuffs of wool.

I thought it my duty to offer and submit this remedy, amongst others, to your majesty's great wisdom, because it pleased you to lay the care of this business upon me; and indeed my care did fly to it before, as it shall always do to any knots and difficulties in your business, wherein hitherto I have been not unfortunate. God ever have you in his most precious custody.

Your majesty's most faithful and most bounden servant,

FR. BACON.

Sept. 13, 1616.

CLXI. TO THE LORD VISCOUNT VILLIERS [1].

MY VERY GOOD LORD,

IT was my opinion from the beginning, that this company will never overcome the business of the cloth; and that the impediments are as much or more in the persons which are *instrumenta animata*, than in the dead business itself.

I have therefore sent unto the king here inclosed my reasons, which I pray your lordship to shew his majesty.

The new company and the old company are but the sons of Adam to me, and I take myself to have some credit with both; but it is upon fear rather with the old, and upon love rather with the new; and yet with both upon persuasion that I understand the business.

Nevertheless I walk *in via regia*, which is not absolutely acceptable to either; for the new company would have all their demands granted, and the old company would have the king's work given over and deserted.

My opinion is, that the old company be drawn to succeed into the contract, else the king's honour suffereth, and that we all draw in one way to effect that. If time, which is the wisest of things, prove the work impossible or inconvenient, which I do not yet believe, I know his majesty and the state will not suffer them to perish.

I wish what shall be done were done with resolution and speed, and that your lordship, because it is a gracious business, had thanks of it next the king; and that there were some commission under his majesty's sign manual to deal with some selected persons of the old company, and to take their answers and consent under their hands; and that the procuring the commission, and the procuring their offers to be accepted, were your lordship's work.

In this treaty my lord chancellor must by no means be left out; for he will moderate well, and aimeth at his majesty's ends.

Mr. Solicitor is not yet returned, but I look for him presently. I rest

Your lordship's true and most devoted servant,

Monday, October 14, at 10 of the clock.

FR. BACON.

[1] Stephens's First Collection, p. 181.

CLXII. REASONS WHY THE NEW COMPANY IS NOT TO BE TRUSTED AND CONTINUED WITH THE TRADE OF CLOTHS[1].

First, The company consists of a number of young men and shop-keepers, which not being bred in the trade, are fearful to meddle with any of the dear and fine cloths, but only meddle with the coarse cloths, which is every man's skill; and besides, having other trades to live upon, they come in the sunshine so long as things go well, and as soon as they meet with any storm or cloud, they leave trade, and go back to shopkeeping; whereas the old company were beaten traders, and having no other means of living but that trade, were fain to ride out all accidents and difficulties, which, being men of great ability, they were well able to do.

Secondly, These young men being the major part, and having a kind of dependance upon alderman Cockain, they carry things by plurality of voices; and yet those few of the old company, which are amongst them, do drive almost three parts of the trade: and it is impossible things should go well, where one part gives the vote, and the other doth the work; so that the execution of all things lies chiefly upon them that never consented, which is merely *motus violentus*, and cannot last.

Thirdly, The new company make continually such new springing demands, as the state can never be secure nor trust to them; neither doth it seem that they do much trust themselves.

Fourthly, The present stand of cloth at Blackwell-hall, which is that that presseth the state most, and is provided for but by a temporary and weak remedy, is supposed would be presently at an end, upon the revivor of the old; in respect that they are able men and united amongst themselves.

Fifthly, In these cases *opinio est veritate major*, and the very voice and expectation of revivor of the old company will comfort the clothiers, and encourage them not to lay down their looms.

[1] Stephens's First Collection, p. 182.

Sixthly, The very Flemings themselves, in regard of the pique they have against the new company, are like to be more pliant and tractable towards his majesty's ends and desires.

Seventhly, Considering the business hath not gone on well, his majesty must either lay the fault upon the matter itself, or upon the persons that have managed it; wherein the king shall best acquit his honour, to lay it where it is indeed; that is, upon the carriage and proceedings of the new company, which have been full of uncertainty and abuse.

Lastly, The subjects of this kingdom generally have an ill taste and conceit of the new company, and therefore the putting of them down will discharge the state of a great deal of envy.

CLXIII. TO THE LORD VISCOUNT VILLIERS[1].

MY VERY GOOD LORD,

Now that the king hath received my opinion, with the judges opinion, unto whom it was referred, touching the proposition for inns, in point of law; it resteth that it be molded and carried in that sort, as it may pass with best contentment and conveniency. Wherein I that ever love good company, as I was joined with others in the legal point, so I desire not to be alone touching the conveniency. And therefore I send your lordship a form of warrant for the king's signature, whereby the framing of the business, and that which belongeth to it, may be referred to myself with serjeant Montague and serjeant Finch, and though Montague should change his place, that alteration hurteth not the business, but rather helpeth it. And because the inquiry and survey touching inns will require much attendance and charge, and the making of the licences, I shall think fit, when that question cometh to me, to be[1] to the justice of assise, and not to those that follow this business: therefore his majesty may be pleased to consider what

[1] Stephens's First Collection, p. 184.

[1] Here (referred) or some word of the like import is omitted.

proportion or dividend shall be allotted to Mr. Mompesson, and those that shall follow it at their own charge, which useth in like cases to be a fifth[1]. So I ever rest

Your Lordship's true and most devoted servant,

Nov. 13, 1616. FR. BACON.

CLXIV. TO THE LORD VISCOUNT VILLIERS[2].

MY VERY GOOD LORD,

I think his majesty was not only well advised, but well inspired, to give order for this same wicked child of Cain, Bertram, to be examined before he was farther proceeded with. And I for my part, before I had received his majesty's pleasure by my lord chamberlain, went thus far; that I had appointed him to be farther examined, and also had taken order with Mr. Solicitor that he should be provided to make some declaration at his trial in some solemn fashion, and not to let such a strange murder pass, as if it had been but a horse-stealing.

But upon his majesty's pleasure signified, I forthwith caused the trial to be staid, and examined the party according to his majesty's questions; and also sent for the principal counsel in the cause, whereupon Sir John Tyndal's report was grounded, to discern the justice or iniquity of the said report, as his majesty likewise commanded.

I send therefore the case of Bertram truly stated and collected, and the examination taken before myself and Mr. Solicitor; whereby it will appear to his majesty that

[1] I suppose after the judges and attorney-general had given the opinion abovementioned, that a patent was soon granted for licensing of common inns; whence Sir Giles Mompesson levied several sums by fines, and annual rent, and from alehouses also by a subsequent patent: proceeding therein with so much rigour, that it was complained of in the parliament which begun in 16$\frac{20}{21}$, as one of the great grievances of the nation; the patent declared illegal, and recalled by the king's proclamation; Mompesson and Michel, the chief projectors of this and some other oppressions, severely censured according to their demerits: the manner of which may be seen in the journals of that parliament, and the histories of those times. *Stephens.*

[2] Stephens's First Collection, p. 186.

Sir John Tyndal, as to his cause, is a kind of martyr: for if ever he made a just report in his life, this was it.

But the event since all this is, that this Bertram being, as it seemeth, indurate, or in despair, hath hanged himself in prison; of which accident, as I am sorry, because he is taken from example and public justice, so yet I would not for any thing it had been before his examination; so that there may be otherwise some occasion taken, either by some declaration in the king's bench upon the return of the coroner's inquest, or by some printed book of the fact, or by some other means, whereof I purpose to advise with my lord chancellor, to have both his majesty's royal care, and the truth of the fact, with the circumstances, manifested and published [1].

For the taking of a toy of my lord chief justice before he was placed, it was done before your letter came; and on Tuesday Heath and Shute shall be admitted and all perfected.

My lord chancellor purposeth to be at the hall tomorrow, to give my lord chief justice his oath; and I pray God it hurt him not this cold weather. God ever prosper you.

Your true and most devoted servant,

FR. BACON.

Sunday night, Nov. 17, 1616.

CLXV. TO SIR FRANCIS BACON, HIS MAJESTY'S ATTORNEY-GENERAL [2].

SIR,

I HAVE acquainted his majesty with your letter, and the other papers inclosed, who liketh very well of the course you purpose touching the manifest to be published of Bertram's fact: and will have you, according to your

[1] This Bertram, who, according to Camden in his Annals of king James, was a grave man of above 70 years of age, and of a clear reputation, pistolled Sir John Tyndal, a master in chancery, on the 12th of November, for making a report against him, in a cause where the sum contended for did not exceed 200*l.*

By his examination taken the 16th, he confessed it to be as foul a murder as ever was; under the sense of which he hanged himself the next day. *Stephens.*

[2] Stephens's Second Collection, p. 23.

own motion, advise with my lord chancellor of the manner of it. His majesty's pleasure likewise is, that according to the declaration he made before the lords of his council at Whitehall, touching the review of my lord Coke's Reports, you draw a warrant ready for his signature, directed to those judges whom he then named to that effect, and send it speedily to him to be signed, that there may be a dispatch of that business before the end of this term. And so I rest

Your faithful friend at command,

GEORGE VILLIERS.

Newmarket, Nov. 19, 1616.

THE CASE OF JOHN BERTRAM.

LEONARD Chamberlayne died intestate without issue, and left a sister married to Bertram, and a niece afterwards married to Sir George Simeon.

The niece obtained letters of administration, and did administer; but afterwards upon appeal, Bertram in the right of his wife, that was the sister, obtained the former administration to berepealed, and new letters of administration to be committed to Bertram and his wife, because the sister was nearer of kin than the niece.

Thereupon Bertram brings his bill in chancery against the first administratrix, to discover the true state of the intestate, and to have it set over unto him, being the rightful administrator; and this cause coming to hearing, it did appear that there was a debt of 200*l.* owing by one Harris to the intestate: whereupon it was decreed, that the debt of Harris by bond should be set over to Bertram, and likewise that all other moneys, debts, and bonds, should be assigned over to him. In the penning of this decree there was an error or slip; for it was penned that a debt by Harris by a bond of 200*l.* should be set over, whereas the proofs went plainly that it was but 200*l.* *in toto* upon divers specialties and writings. Upon this pinch and advantage Bertram moved still that the bond of 200*l.* should be brought in, and at last

the defendant alledging that there was no such bond, the court ordered that the money itself, namely, 200*l.* should be brought in: which was done accordingly, and soon after by order of the court it was paid over to Bertram.

When Bertram had this 200*l.* in his purse, he would needs surmise, that there was another 200*l.* due by Harris upon account, besides the 200*l.* due by one singular bond, and still pressed the words of the decree, which mentions a bond, and thereupon got his adversary Sir George Simeon committed. Afterwards it was moved upon Simeon's part, that there was only one debt of 200*l.* and that the decree was mistaken in the penning of it, and so must needs be understood, because the decree must be upon the proofs; and all the proofs went but upon the 200*l.* *in toto*, and not upon any particular bond: whereupon my lord chancellor referred the consideration of the proofs, and the comparing of them with the decree, to Sir John Tyndal and doctor Amye.

They reported, which was the killing report, that upon the proofs there was but one 200*l.* in all, and that had been eagerly followed by Bertram, and that Simeon had suffered by error and mistaking, and that it were time he were released, which was a most just and true report, and yet it concluded, as is used in such cases, that they referred it to the better judgment of the court; and the court upon the reading of that report gave order that the plaintiff Bertram should shew cause by a day why Simeon should not be enlarged, and the plaintiff Bertram dismissed. And before the day prefixed to shew cause, Bertram pistolled Sir John Tyndal.

CLXVI. TO THE LORD VISCOUNT VILLIERS[1].

MY VERY GOOD LORD,

I AM glad to find your lordship mindful of your own business, and if any man put you in mind of it, I do not dislike that neither; but your lordship may assure yourself, in whatsoever you commit to me your lordship's far-

[1] Stephens's First Collection, p. 188.

ther care shall be needless: for I desire to take nothing from my master and my friend but care; and therein I am so covetous, as I will leave them as little as may be.

Now therefore things are grown to a conclusion, touching your land and office, I will give your lordship an account of that which is passed; and acquaint your judgment, which I know to be great and capable of any thing, with your own business; that you may discern the difference between doing things substantially, and between shuffling and talking: and first for your patent.

First, it was my counsel and care that your book should be fee-farm, and not fee-simple; whereby the rent of the crown in succession is not diminished, and yet the quantity of the land, which you have upon your value, is enlarged; whereby you have both honour and profit.

Secondly, By the help of Sir Lionel Cranfield I advanced the value of Sherbourn from 26,000*l.* (which was thought and admitted by my lord treasurer and Sir John Deccombe, as a value of great favour to your lordship, because it was a thousand pound more than it was valued at to Somerset) to thirty-two thousand pounds; whereby there were six thousand pounds gotten, and yet justly.

Thirdly, I advised the course of rating Hartington at a hundred years purchase, and the rest at thirty-five years purchase fee-farm, to be set down and expressed in the warrant; that it may appear and remain of record, that your lordship had no other rates made to you in favour, than such as purchasers upon sale are seldom drawn into; whereby you have honour.

Fourthly, That lease to the feoffees, which was kept as a secret in the decke, and was not only of Hartington, but also of most of the other particulars in your book, I caused to be throughly looked into and provided for; without which your assurance had been nothing worth: and yet I handled it so, and made the matter so well understood, as you were not put to be a suitor to the prince for his good will in it, as others ignorantly thought you must have done.

Fifthly, The annexation [1], which no body dreamt of, and which some idle bold lawyer would perhaps have said had been needless; and yet is of that weight, that there was never yet any man that would purchase any such land from the king, except he had a declaration to discharge it, I was provident to have it discharged by declaration.

Sixthly, Lest it should be said that your lordship was the first, except the queen and the prince, that brake the annexation, upon a mere gift; for that others had it discharged only upon sale, which was for the king's profit and necessity; I found a remedy for that also, because I have carved it in the declaration, as that this was not gift to your lordship, but rather a purchase and exchange, as indeed it was, for Sherbourn.

Seventhly and lastly, I have taken order, as much as in me was, that your lordship in these things which you have passed be not abused, if you part with them: for I have taken notes in a book of their values and former offers.

Now for your office.

First, Whereas my lord Teynham, at the first, would have had your lordship have had but one life in it, and he another; and my lord treasurer, and the solicitor, and Deccombe, were about to give way to it: I turned utterly that course, telling them that you were to have two lives in it, as well as Somerset had.

Secondly, I have accordingly, in the assurance from your deputies, made them acknowledge the trust, and give security not only for your lordship's time, but after; so as you may dispose, if you should die, which I would be sorry to live to, the profits of the office by your will, or otherwise, to any of your friends for their comfort and advancement.

Thirdly, I dealt so with Whitlocke as well as Heath, as there was no difficulty made of the surrender.

Lastly, I did cast with myself, that if your lordship's

[1] The annexation; by which lands, etc. were united or annexed to the duchies of Cornwall and Lancaster.

deputies had come in by Sir Edward Coke, who was tied to Somerset, it would have been subject to some clamour from Somerset, and some question what was forfeited by Somerset's attainder, being but of felony, to the king; but now they coming in from a new chief justice, all is without question or scruple.

Thus your lordship may see my love and care towards you, which I think infinitely too little in respect of the fulness of my mind; but I thought good to write this, to make you understand better the state of your own business, doing by you as I do by the king; which is, to do his business safely and with foresight, not only of to-morrow or next day, but afar off[1]; and not to come fiddling with a report to him what is done every day, but to give him up a good sum in the end.

I purpose to send your lordship a kalendar fair written of those evidences which concern your estate, for so much as have passed my hands; which in truth are not fit to remain with solicitors, no nor with friends, but in some great cabinet to be made for that purpose.

All this while I must say plainly to your lordship, that you fall short for your present charge, except you play the good husband; for the office of Teynham is in reversion, Darcey's land is in reversion; all the land in your books is but in reversion, and yields you no present profit, because you pay the fee-farm. So as you are a strange heteroclite in grammar, for you want the present tense; many verbs want the præterperfect tense, and some the future tense, but none want the present tense. I will hereafter write to your lordship, what I think of for that supply; to the end that you may, as you have begun to your great honour, despise money, where it

[1] Certainly the wisdom of foresight and prevention, is far above the wisdom of remedy; and yet I fear the following observation Sir Francis Bacon makes in his essay of empire, concerning the times in or near which he lived, hath been verified too much in others. "This is true, that the wisdom of all these later times in princes affairs, is rather fine deliveries and shiftings of dangers and mischiefs when they are near, than solid or grounded courses to keep them aloof. But this is but to try masteries with fortune; and let men beware how they neglect and suffer matter of trouble to be prepared; for no man can forbid the spark, nor tell whence it may come."

crosseth reason of state or virtue. But I will trouble you no farther at this time. God ever preserve and prosper your lordship.

Your true and most devoted servant,

FR. BACON.

Nov. 29, 1616.

CLXVII. TO THE LORD VISCOUNT VILLIERS, ABOUT DUELS [1].

MY VERY GOOD LORD,

I DELIVERED the proclamation for cloth to secretary Winwood on Saturday, but he keepeth it to carry it down himself, and goeth down, as I take it, to-day. His majesty may perceive by the docket of the proclamation, that I do not only study, but act that point touching the judges, which his majesty commandeth in your last.

Yesterday was a day of great good for his majesty's service, and the peace of this kingdom concerning duels, by occasion of Darcy's case. I spake big, and, publishing his majesty's strait charge to me, said, it had struck me blind, as in point of duels and cartels, etc. I should not know a coronet from a hatband. I was bold also to declare how excellently his majesty had expressed to me a contemplation of his touching duels; that is, that when he came forth and saw himself princely attended with goodly nobles and gentlemen, he entered into the thought, that none of their lives were in certainty not for twenty-four hours from the duel; for it was but a heat or a mistaking, and then a lye, and then a challenge, and then life: saying, that I did not marvel, seeing Xerxes shed tears, to think none of his great army should be alive once within a hundred years, his majesty were touched with compassion to think that not one of his attendance but might be dead within twenty-four hours by the duel. This I write because his majesty may be wary, what he saith to me, in things of this nature, I being so apt to play the blab. In this also I forgot not to prepare the judges, and wish them to profess, and as it were to denounce, that in all cases of

[1] Stephens's First Collection, p. 192.

duel capital before them, they will use equal severity towards the insolent murder by the duel, and the insidious murder; and that they will extirpate that difference out of the opinions of men; which they did excellent well.

I must also say, that it was the first time that I heard my lord of Arundel speak in that place; and I do assure your lordship he doth excellently become the court; he speaketh wisely and weightily, and yet easily and clearly, as a great nobleman should do.[1]

There hath been a proceeding in the king's bench against Bertram's keeper, for misdemeanor, and I have put a little pamphlet, prettily penn'd by one Mr. Trotte, that I set on work, touching the whole business, to the press by my lord chancellor's advice.

I pray God direct his majesty in the cloth business, that that thorn may be once out of our sides. His majesty knoweth my opinion *ab antiquo*. Thanks be to God for your health, and long may you live to do us all good. I rest

Your true and most devoted servant,

FR. BACON.

[1] My lord of Arundel descended from the noble family of the Howards; his grandfather the duke of Norfolk losing his life upon the account of Mary Queen of Scots, and his father suffering some years imprisonment under sentence of condemnation: he was restored in blood, and to the titles of Arundel and Surry, 1 Jac. made a privy counsellor on the 25th of July 1616, and afterwards earl marshal of England, and general of the army sent against the Scots by king Charles I. But about the beginning of our civil wars he retired into Italy, where he had spent part of his youth, and returned to the religion he had professed, dying at Padua in 1646. He was a gentleman of a noble aspect, and of a noble nature, a great virtuoso and antiquary, who with much care and cost procured many valuable antiquities and inscriptions to be brought from Asia, Greece, and Italy into England, and placed them in or near his garden at Arundel-house in the Strand; several of which were very generously presented by his grandson the duke of Norfolk to the university of Oxford, where they are among others of the famous Selden fixed to the walls inclosing the Theatre. It were to be wished, that the great number of ancient statues which adorned his house and gardens, and have since been much neglected, had met with as safe a repository. The eloquence which Sir Francis Bacon doth here commend in this lord, is much the same which in the beginning of his "Advancement of Learning" he doth attribute to the king, in the words of Tacitus, concerning Augustus Cæsar; "Augusto profluens, et quæ principem deceret eloquentia fuit."

A PROPOSITION FOR THE REPRESSING OF SINGULAR COMBATS OR DUELS, IN THE HAND-WRITING OF SIR FRANCIS BACON [1].

FIRST, for the ordinance which his majesty may establish herein, I wish it may not look back to any offence past, for that strikes before it warns. I wish also it may be declared to be temporary, until a parliament; for that will be very acceptable to the parliament; and it is good to teach a parliament to work upon an edict or proclamation precedent.

For the manner, I should think fit there be published a grave and severe proclamation, induced by the overflow of the present mischief.

For the ordinance itself: first, I consider that offence hath vogue only amongst noble persons, or persons of quality. I consider also that the greatest honour for subjects of quality in a lawful monarchy, is to have access and approach to their sovereign's sight and person, which is the fountain of honour; and though this be a comfort all persons of quality do not use; yet there is no good spirit but will think himself in darkness, if he be debarred of it. Therefore I do propound, that the principal part of the punishment be, that the offender, in the cases hereafter set down, be banished perpetually from approach to the courts of the king, queen, or prince.

Secondly, That the same offender receive a strict prosecution by the king's attorney, *ore tenus*, in the Star-Chamber: for the fact being notorious, will always be confessed, and so made fit for an *ore tenus*. And that this prosecution be without respect of persons, be the offender never so great; and that the fine set be irremissible.

Lastly, For the causes, that they be these following:

1. Where any singular combat, upon what quarrel soever, is acted and performed, though death do not ensue.

2. Where any person passeth beyond the seas, with purpose to perform any singular combat, though it be never acted.

[1] On occasion of this letter, in which is mentioned Sir Francis Bacon's speech against duels, it may not be improper to insert here this curious paper from Sir David Dalrymple's Memorials and Letters, p. 51.

3. Where any person sendeth a challenge.
4. Where any person accepteth a challenge.
5. Where any person carrieth or delivereth a challenge.
6. Where any person appointeth the field, directly or indirectly, although it be not upon any cartel or challenge in writing.
7. Where any person accepteth to be a second in any quarrel.

CLXVIII. TO THE LORD VISCOUNT VILLIERS[1].

IT MAY PLEASE YOUR LORDSHIP,

I PRAY let his majesty understand, that although my lord chancellor's answer touching the dismission of the Farmers cause, was full of respect and duty, yet I would be glad to avoid an express signification from his majesty, if his majesty may otherwise have his end. And therefore I have thought of a course, that a motion be made in open court, and that thereupon my lord move a compromise to some to be named on either part, with bond to stand to their award. And as I find this to be agreeable to my lord chancellor's disposition, so I do not find but the Farmers and the other party are willing enough towards it. And therefore his majesty may be pleased to forbear any other letter or message touching that business. God ever keep your lordship.

Your Lordship's true and most devoted servant,

FR. BACON.

Jan. 23, 1616.

CLXIX. THIS LETTER WAS WRITTEN TO THE EARL OF BUCKINGHAM, ON THE SAME DAY SIR FRANCIS BACON WAS DECLARED LORD KEEPER OF THE GREAT SEAL[2].

MY DEAREST LORD,

IT is both in care and kindness, that small ones float up to the tongue, and great ones sink down into the heart in silence. Therefore I could speak little to your

[1] Stephens's Second Collection, p. 32. [2] Stephens's First Collection, p. 194.

lordship to-day, neither had I fit time: but I must profess thus much, that in this day's work you are the truest and perfectest mirror and example of firm and generous friendship that ever was in court. And I shall count every day lost, wherein I shall not either study your well doing in thought, or do your name honour in speech, or perform you service in deed. Good my lord, account and accept me

Your most bounden and devoted friend and servant
of all men living,

FR. BACON, C. S.

March 7, 1616.

CLXX. TO THE EARL OF BUCKINGHAM [1].

MY SINGULAR GOOD LORD,

WHEN I heard here your lordship was dead, I thought I had lived too long. That was, to tell your lordship truly the state of my mind, upon that report. Since, I hear it was an idle mistaking of my lord Evers for my lord Villiers. God's name be blessed, that you are alive to do infinite good, and not so much as sick or ill disposed for any thing I now hear.

I have resigned the prince's seal, and my lord Hobart is placed. I made the prince laugh, when I told him I resigned it with more comfort than I received it; he understanding me that I had changed for a better: but after I had given him that thought, I turned it upon this, that I left his state and business in good case, whereof I gave him a particular account.

The queen calleth upon me for the matter of her house, wherein your lordship and my lord chamberlain and I dealt, and received his majesty's direction, so that I shall prepare a warrant first to my lord treasurer and Mr. Chancellor, for that is the right way, to advise how to settle it by assignment, in case she survive his majesty, which I hope in God she shall not.

Her desire was expressly and of herself that when I had prepared a warrant to be sent to his majesty, I should send it by your lordship's hands.

[1] Stephens's Second Collection, p. 33.

We sit in council, that is all I can yet say; Sir John Denham is not come, upon whose coming the king shall have account of our consultations touching Ireland, which we cannot conclude till we have spoken with him. God ever preserve and prosper you.

It grieveth me much that I cannot hear enough of his majesty's good disposition of health, and his pleasures, and other ordinary occurrences of his journey. I pray your lordship will direct Mr. Packer to write to me some time of matters of that kind; I have made the like request to Sir Edward Villiers, by whom I write this present, to whose good affection I think myself beholden, as I do also esteem him much for his good parts, besides his nearness to your lordship, which bindeth me above all.

Your Lordship's most faithful and devoted friend and servant,

FR. BACON, C. S.

7 Apr. 1617.

CLXXI. TO THE RENOWNED UNIVERSITY OF CAMBRIDGE, HIS DEAR AND REVEREND MOTHER[1].

I AM debtor to you for your letters, and of the time likewise, that I have taken to answer them. But as soon as I could choose what to think on, I thought good to let you know; that although you may err much in your valuation of me, yet you shall not be deceived in your assurance: and for the other part also, though the manner be to mend the picture by the life; yet I would be glad to mend the life by the picture, and to become, and be, as you express me to be. Your gratulations shall be no more welcome to me, than your business or occasions; which I will attend; and yet not so, but that I shall endeavour to prevent them by my care of your good. And so I commend you to God's goodness.

Your most loving and assured friend and son,

FR. BACON, C. S.

Gorhambury, Apr. 12, 1617.

[1] Rawley's Resuscitatio.

CLXXII. TO THE EARL OF BUCKINGHAM [1].

MY SINGULAR GOOD LORD,

I AM now for five or six days retired to my house in the country: for I think all my lords are willing to do as scholars do, who though they call them holy-days, yet they mean them play-days.

We purpose to meet again on Easter-Monday, and go all to the spital sermon for that day, and therein to revive the ancient religious manner, when all the council used to attend those sermons, which some neglect in Queen Elizabeth's time, and his majesty's great devotion in the due hearing of sermons himself with his council at the court, brought into dissuetude. But now our attendance upon his majesty, by reason of his absence, cannot be, it is not amiss to revive.

I perceive by a letter your lordship did write some days since to my lord Brackley, that your lordship would have the King satisfied by precedents, that letters patents might be of the dignity of an earldom without delivery of the patent by the King's own hand, or without the ordinary solemnities of a creation. I find precedents somewhat tending to the same purpose, yet not matching fully. But howsoever let me, according to my faithful and free manner of dealing with your lordship, say to you, that since the King means it, I would not have your lordship, for the satisfying a little trembling or panting of the heart in my lord or lady Brackley, to expose your lordship's self, or myself, whose opinion would be thought to be relied upon, or the King our master, to envy with the nobility of this realm; as to have these ceremonies of honour dispensed with, which in conferring honour have used to be observed, like a kind of *doctor Bullatus* without the ceremony of a commencement: the King and you know I am not ceremonious in nature, and therefore you may think, if it please you, I do it in judgment. God ever preserve you.

Your lordship's most faithful and devoted friend and servant,

FR. BACON, C. S.

[1] Stephens's First Collection, p. 196.

I purpose to send the precedents themselves by my lord of Brackley; but I thought fit to give you some taste of my opinion before.

Gorhambury, Apr. 13, 1617.

CLXXIII. TO THE EARL OF BUCKINGHAM [1].

MY SINGULAR GOOD LORD,

I PRAY your good lordship to deliver to his majesty the inclosed.

I send your lordship also the warrant to my lord treasurer and Mr. Chancellor of the exchequer for the queen's [2] house: it is to come again to the king, when the bill is drawn for the letters patents; for this is only the warrant to be signed by his majesty.

I asked the queen, whether she would write to your lordship about it; her answer was very modest and discreet, that because it proceeded wholly from his majesty's kindness and goodness, who had referred it, it was not so fit for her to write to your lordship for the dispatch of it, but she desired me to thank your lordship for your former care of it, and to desire you to continue it: and withal she desireth your lordship not to press his majesty in it, but to take his best times. This answer, because I like it so well, I write to you at large; for other matters I will write by the next. God ever prosper you and preserve you.

Your lordship's most faithful and devoted friend and servant,

London, 19 Apr. 1617. FR. BACON, C. S.

CLXXIV. TO MR. MATTHEW, IN REFLECTION UPON SOME ASTRONOMERS IN ITALY [3].

SIR,

I WRITE to you chiefly now, to the end, that by the continuance of my acquaintance with you by letters, you may perceive how much I desire, and how much I do not despair of the recontinuance of our acquaintance by conversation. In the mean time I wish you would

[1] Stephens's Second Collection, p. 37. [2] Somerset-House.
[3] Sir Tobie Matthew's Collection of Letters, p. 25.

desire the astronomers of Italy to amuse us less than they do with their fabulous and foolish traditions, and come nearer to the experiments of sense; and tell us, that when all the planets, except the moon, are beyond the line in the other hemisphere for six months together, we must needs have a cold winter, as we saw it was the last year. For understanding that this was general over all these parts of the world; and finding that it was cold weather with all winds, and namely west-wind, I imagined there was some higher cause of this effect; though yet I confess I thought not that ever I should have found that cause so palpable a one as it proved; which yet, when I came quickly afterwards to observe, I found also very clearly, that the summer must needs be cold too; though yet it were generally thought, that the year would make a shift to pay itself, and that we should be sure to have heats for our cold. You see, that though I be full of business, yet I can be glad rather to lay it all aside, than to say nothing to you. But I long much more to be speaking often with you, and I hope I shall not long want my wish.

CLXXV. TO THE KING, ABOUT THE SPANISH MATCH [1].

IT MAY PLEASE YOUR MOST EXCELLENT MAJESTY,

MR. Vice-Chamberlain hath acquainted myself and the rest of the commissioners for the marriage with Spain, which are here, with your majesty's instructions, signed by your royal hands, touching that point of the suppressing of pirates, as it hath relation to his negociation; whereupon we met yesterday at my lord admiral's at Chelsea, because we were loth to draw my lord into the air, being but newly upon his recovery [2].

[1] Stephens's First Collection, p. 197.

[2] Charles lord Howard of Effingham and earl of Nottingham, was, as Sir Robert Naunton observes, as goodly a gentleman for person as the times had any; which is confirmed by Mr. Osbourn, although his eyes met not with him, till he was turned towards the point of eighty. He being also brave, faithful, and diligent, commanded the fleet as lord high admiral upon several occasions, particularly against the Spanish Armada, 1588. But in the latter end of the year 1618, he surrendered this honourable place to the king, who conferred it upon the marquis of Buckingham, and died in the year 1624, and of his age the 88th. Stephens.

We conceive the parts of the business are four: the charge; the confederations, and who shall be solicited or retained to come in; the forces and the distributions of them; and the enterprise. We had only at this time conference amongst ourselves, and shall appoint, after the holy-days, times for the calling before us such as are fit, and thereupon perform all the parts of your royal commandments.

In this conference I met with somewhat which I must confess was altogether new to me, and opened but darkly neither; whereof I think Mr. Vice-Chamberlain will give your majesty some light, for so we wished. By occasion whereof I hold it my duty, in respect of the great place wherein your majesty hath set me, being only made worthy by your grace, which maketh it decent for me to counsel you *ad summas rerum*, to intimate or represent to your majesty thus much.

I do foresee, in my simple judgment, much inconvenience to insue, if your majesty proceed to this treaty with Spain, and that your council draw not all one way. I saw the bitter fruits of a divided council the last parliament; I saw no very pleasant fruits thereof in the matter of the cloth. This will be of equal, if not more inconvenience; for wheresoever the opinion of your people is material, as in many cases it is not, there, if your council be united, they shall be able almost to give law to opinion and rumour; but if they be divided, the infusion will not be according to the strength and virtue of the votes of your council, but according to the aptness and inclination of the popular. This I leave to your majesty in your high wisdom to remedy: only I could wish that when Sir John Digby's instructions are perfected, and that he is ready to go, your majesty would be pleased to write some formal letter to the body of your council, if it shall be in your absence, signifying to them your resolution in general, to the end, that when deliberation shall be turned into resolution, no man, howsoever he may retain the inwardness of his opinion, may be active *in contrarium*.

The letters of my lords of the council with your majesty, touching the affairs of Ireland, written largely and

articulately, and by your majesty's direction, will much facilitate our labours here; though there will not want matter of consultation thereupon. God ever preserve your majesty safe and happy.

Your Majesty's most devoted and obliged servant,

London, April 19, 1617. FR. BACON, C. S.

CLXXVI. TO THE EARL OF BUCKINGHAM.[1]

MY SINGULAR GOOD LORD,

I SEND your lordship, according to the direction of your letter, a note of the precedents that I find in my lord Brackley's business; which do rather come near the case than match it. Your lordship knoweth already my opinion, that I would rather have you constant in the matter, than instant for the time.

I send also inclosed an account of council business by way of remembrance to his majesty, which it may please you to deliver to him.

The queen returneth her thanks to your lordship for the dispatch of the warrant touching her house: I have not yet acquainted the lord treasurer, and chancellor of the exchequer with it; but I purpose to-morrow to deliver them the warrant, and to advise with them for the executing of the same.

I have received the king's letter with another from your lordship, touching the cause of the officers, and Sir Arthur Ingram, whereof I will be very careful to do them justice.

Yesterday I took my place in chancery, which I hold only for the king's grace and favour, and your constant friendship. There was much ado, and a great deal of world; but this matter of pomp, which is heaven to some men, is hell to me, or purgatory at least. It is true, I was glad to see that the king's choice was so generally approved; and that I had so much interest in mens good will and good opinions, because it maketh me the fitter instrument to do my master service and my friend also.

[1] Stephens's First Collection, p. 200.

After I was set in chancery, I published his majesty's charge which he gave me when he gave me the seal; and what rules and resolutions I had taken for the fulfilling his commandments. I send your lordship a copy of that I said. My lord Hay coming to take his leave of me two days before, I told him what I was meditating, and he desired me to send him some remembrance of it; and so I could not but send him another copy thereof. Men tell me it hath done the king a great deal of honour; insomuch that some of my friends that are wise men and no vain ones, did not stick to say to me, that there was not these seven years such a preparation for a parliament; which was a commendation, I confess, pleased me well. I pray take some fit time to shew it his majesty, because if I misunderstood him in any thing, I may amend it, because I know his judgment is higher and deeper than mine.

I take infinite contentment to hear his majesty is in great good health and vigor; I pray God preserve and continue it. Thus wishing you well above all men living, next my master and his: I rest

Your true and devoted friend and servant,

FR. BACON, C. S.

Dorset-house, which putteth me in mind to thank your lordship, for your care of me touching York-house, May 8, 1617.

CLXXVII. AN ACCOUNT OF COUNCIL BUSINESS, AND OTHER MATTERS COMMITTED TO ME BY HIS MAJESTY [1].

First, for May-day; at which time there was great apprehension of tumult by prentices and loose people; there was never such a still. The remedies that did the effect were three:

First, the putting in muster of the trained bands and military bands in a brave fashion that way. Next the laying a strait charge upon the mayor and aldermen for the city, and justices of the peace for the suburbs, that

[1] Stephen's First Collection, p. 202.

the prentices and others might go abroad with their flags and other gauderies, but without weapon of shot and pike, as they formerly took liberty to do: which charge was exceeding well performed and obeyed. And the last was, that we had, according to our warrant dormant, strengthened our commissions of the peace in London and Middlesex, with new clauses of lieutenancy; which as soon as it was known abroad, all was quiet by the terror it wrought. This I write, because it maketh good my farther assurance I gave his majesty at his first removes, that all should be quiet; for which I received his thanks.

For the Irish affairs, I received this day his majesty's letter to the lords, which we have not yet opened, but shall sit upon them this afternoon. I do not forget, besides the points of state, to put my lord treasurer in remembrance, that his majesty laid upon him the care of the improvement of the revenue of Ireland by all good means, of which I find his lordship very careful, and I will help him the best I can.

The matter of the revenue of the recusants here in England, I purpose to put forward by a conference with my lord of Canterbury, upon whom the king laid it, and upon secretary Winwood; and, because it is matter of the exchequer, with my lord treasurer and Mr. Chancellor; and after to take the assistance of Mr. Attorney, and the learned counsel; and when we have put it in a frame, to certify his majesty.

The business of the pirates is, I doubt not, by this time come to his majesty, upon the letters of us the commissioners, whereof I took special care; and I must say, I find Mr. Vice-Chamberlain a good able man with his pen. But to speak of the main business, which is the match with Spain, the king knows my mind by a former letter; that I would be glad it proceeded with an united council; not but that votes and thoughts are to be free: but yet after a king hath resolved, all men ought to cooperate, and neither to be active nor much locutive *in oppositum;* especially in a case where a few dissenting from the rest, may hurt the business *in foro famæ.*

Yesterday, which was my weary day, I bid all the

judges to dinner, which was not used to be, and entertained them in a private withdrawing chamber, with the learned counsel. When the feast was passed, I came amongst them, and sat me down at the end of the table, and prayed them to think I was one of them, and but a foreman. I told them I was weary, and therefore must be short, and that I would now speak to them upon two points. Whereof the one was, that I would tell them plainly, that I was firmly persuaded, that the former discords and differences between the chancery and other courts were but flesh and blood; and that now the men were gone, the matter was gone; and that for my part, as I would not suffer any the least diminution or derogation from the ancient and due power of the chancery, so if any thing should be brought to them at any time, touching the proceedings of the chancery, which did seem to them exorbitant or inordinate, that they should freely and friendly acquaint me with it, and we should soon agree; or if not, we had a master that could easily both discern and rule. At which speech of mine, besides a great deal of thanks and acknowledgment, I did see chear and comfort in their faces, as if it were a new world.

The second point was, that I let them know how his majesty, at his going, gave me charge to call and receive from them the accounts of their circuits, according to his majesty's former prescript, to be set down in writing; and that I was to transmit the writings themselves to his majesty; and accordingly as soon as I have received them I will send them to his majesty.

Some two days before I had a conference with some judges, not all but such as I did choose, touching the high commission, and the extending of the same in some points; which I see I shall be able to dispatch by consent, without his majesty's farther trouble.

I did call upon the committees also for the proceeding in the purging of Sir Edward Coke's "Reports," which I see they go on with seriously [1].

[1] During the time that my lord chief justice Coke lay under the displeasure of the court, some information was given to the king, that he having published eleven books of *Reports*, had written many things against his majesty's prerogative. And

Thanks be to God, we have not much to do for matters of council, and I see now that his majesty is as well able by his letters to govern England from Scotland, as he was to govern Scotland from England.

being commanded to explain some of them, my lord chancellor Ellesmere doth thereupon, in his letter of 22 October 1616, write thus to the king: "According to your majesty's directions signified unto me by Mr. Solicitor, I called the lord chief justice before me on Thursday the 17th instant, in presence of Mr. Attorney, and others of your learned counsel. I did let him know your majesty's acceptance of the few animadversions, which upon review of his own labours he had sent, though fewer than you expected, and his excuses other than you expected." And did at the same time inform him, that his majesty was dissatisfied with several other passages therein; and those not of the principal points of the cases judged, but delivered by way of expatiation, and which might have been omitted without prejudice to the judgment; of which sort the attorney and solicitor-general did for the present only select five, which being delivered to the chief justice on the 17th of October, he returns his answers at large upon the 21st of the same month, the which I have seen under his own hand. 'Tis true the lord chancellor wished he might have been spared all service concerning the chief justice, as remembering the fifth petition of "dimitte nobis debita nostra, etc." Insomuch that though a committee of judges was appointed to consider these books, yet the matter seems to have slept, till after Sir Francis Bacon was made lord keeper, it revived, and two judges more were added to the former. Whereupon Sir Edward Coke doth by his letter make his humble suit to the earl of Buckingham, 1. That if his majesty shall not be satisfied with his former offer, namely, by the advice of the judges to explain and publish those points, so as no shadow may remain against his prerogative, that then all the judges of England may be called thereto. 2. That they might certify also what cases he had published for his majesty's prerogative and benefit, for the good of the Church, and quieting men's inheritances, and good of the commonwealth. But Sir Edward then, or soon after, coming into favour by the marriage of his daughter, I conceive there was no farther proceedings in this affair. It will be needless for me to declare what reputation these books have among the professors of the law; but I cannot omit upon this occasion to take notice of a character Sir Francis Bacon had some time before given them in his proposition to the king, touching the compiling an amendment of the laws of England. "To give every man his due, had it not been for Sir Edward Coke's Reports, which though they may have errors and some peremptory and extrajudicial resolutions more than are warranted, yet they contain infinite good decisions and rulings over of cases, the law by this time had been almost like a ship without ballast: for that the cases of modern experience are fled from those that are adjudged and ruled in former time." *Stephens.*

CLXXVIII. A NOTE OF SOME PRECEDENTS AS COME NEAREST THE CASE OF THE LORD BRACKLEY: REFERRED TO IN THE FOREGOING LETTER[1].

THE lord Hay was created baron of Sawley, 28 *Junii* 13 *Regis*, without the ceremony of robing, as I take it, but then the patent, as I conceive it also, delivered to the person of the said lord Hay by the king's own hands; and again, the dignity of a baron hath incident to it only the ceremony of robes, and not the cincture of the sword, coronet, etc.

The duke of Lenox was created earl of Richmond, 6 *Octobris* 11 *Regis*, without any of the ceremonies, as I take it, but the patent, as I conceive it also, was delivered to the person of the said duke, with the hands of the king; and again, in regard he was invested of the superior dignity of duke of Scotland, the ceremonies were not fit to be iterated.

King Henry VII. created Edward Courtenay knight, earl of Devon, "26 Octobris, 1 Regni, teste meipso apud Wesmonasterium," etc. Whereby it may be collected, that it was done without the solemnities; for that where the solemnities were performed, it hath used to be with a *hisce testibus*, and not *teste meipso;* and whether it were delivered with the king's hand or not, it appears not.

Edward VI. created William earl of Essex, marquis of Northampton, 16 Feb. 1 Edw. VI. and it is mentioned to be "per cincturam gladii, cappam honoris, et circuli aurei impositionem;" but whether the delivery was by the king's own hand *non constat*, but it was *teste meipso*, and not *hisce testibus*.

The same king created John viscount L'Isle, earl of Warwick, the same time, and it is mentioned to be "per cincturam gladii," etc. but it was *teste meipso*, and not *hisce testibus*.

Edward VI. created Thomas lord Wriothesley, earl of Southampton in the same day, and in the same manner, with a *teste meipso*, and not *hisce testibus*. These

[1] Stephens's First Collection, p. 206.

three creations being made upon one day, and when the king was a child of about nine years old, and in the very entrance of his reign, for the patents bear date at the Tower of London, doth make me conjecture that all the solemnities were performed; but whether the king endured to be present at the whole ceremony, and to deliver the patents with his own hand, I doubt; for that I find that the very self-same day, year, and place, the king created his uncle the earl of Hertford, to be duke of Somerset "per cincturam gladii, cappam honoris, et circuli aurei impositionem, et traditionem virgulæ aureæ," *hisce testibus*, and not *teste meipso*, and with a *datum per manus nostras:* yet these things are but conjectural.

I find no precedents for a *non obstante*, or a dispensation with the solemnities, as the lord Brackley's bill was penned.

CLXXIX. TO THE LORD KEEPER[1].

MY HONOURED LORD,

I HAVE acquainted his majesty with your letter, and the papers that came inclosed, who is exceedingly well satisfied with that account you have given him therein, especially with the speech you made at the taking of your place in the chancery. Whereby his majesty perceiveth that you have not only given proof how well you understand the place of a chancellor, but done him much right also, in giving notice unto those that were present, that you have received such instructions from his majesty; whose honour will be so much the greater, in that all men will acknowledge the sufficiency and worthiness of his majesty's choice, in preferring a man of such abilities to that place, which besides cannot but be a great advancement and furtherance to his service: and I can assure your lordship, that his majesty was never so well pleased, as he is with this account you have given him of this passage. Thus with the remembrance of my service, I rest

Your Lordship's ever at command,

G. BUCKINGHAM.

Edinburgh, 18 May, 1617.

[1] Stephens's Second Collection, p. 47.

CLXXX. TO THE EARL OF BUCKINGHAM [1].

MY VERY GOOD LORD,

I KNOW your lordship hath a special care of any thing that concerneth the queen. She was entered into dislike of her solicitor, this bearer Mr. Lowder, and resolute in it. To serve, and not to please, is no man's condition. Therefore, upon knowledge of her pleasure, he was willing to part with his place, upon hopes not to be destituted, but to be preferred to one of the barons places in Ireland. I pray move the king for him, and let his majesty know from me, that I think, howsoever he pleased not here, he is fit to do his majesty service in that place; he is grave and formal, which is somewhat there, and sufficient enough for that place. The queen had made Mr. Hackwell her solicitor, who hath for a long time taken much pains in her business, wherein she hath done well. He was an opposite in parliament, as Jones was, that the king hath made chief justice of Ireland. But I hold it no ill counsel to join, or to remove such men. God preserve and prosper you.

Your true and devoted friend and servant,

FR. BACON.

Whitehall, 25 May, 1617.

CLXXXI. TO THE EARL OF BUCKINGHAM [2].

MY VERY GOOD LORD,

I SHALL write to your lordship of a business which your lordship may think to concern myself; but I do think it concerneth your lordship much more. For as for me, as my judgment is not so weak to think it can do me any hurt, so my love to you is so strong, as I would prefer the good of you and yours before mine own particular.

It seemeth secretary Winwood hath officiously busied himself to make a match between your brother and Sir Edward Coke's daughter: and, as we hear, he doth it rather to make a faction, than out of any great affection

[1] Stephens's Second Collection, p. 48. [2] Stephens's First Collection, p. 207.

to your lordship; it is true, he hath the consent of Sir Edward Coke, as we hear, upon reasonable conditions for your brother; and yet no better than, without question, may be found in some other matches. But the mother's consent is not had, nor the young gentlewoman's, who expecteth a great fortune from her mother, which without her consent is endangered. This match, out of my faith and freedom towards your lordship, I hold very inconvenient both for your brother and yourself.

First, He shall marry into a disgraced house, which in reason of state is never held good.

Next, He shall marry into a troubled house of man and wife, which in religion and Christian discretion is disliked.

Thirdly, Your Lordship will go near to lose all such your friends as are adverse to Sir Edward Coke; myself only except, who out of a pure love and thankfulness shall ever be firm to you.

And lastly and chiefly, believe it, it will greatly weaken and distract the king's service; for though, in regard of the king's great wisdom and depth, I am persuaded, those things will not follow which they imagine: yet opinion will do a great deal of harm, and cast the king back, and make him relapse into those inconveniences which are now well on to be recovered.

Therefore my advice is, and your lordship shall do yourself a great deal of honour, if, according to religion and the law of God, your lordship will signify unto my lady your mother, that your desire is, that the marriage be not pressed or proceeded in without the consent of both parents; and so either break it altogether, or defer any farther delay in it, till your lordship's return: and this the rather, for that, besides the inconvenience of the matter itself, it hath been carried so harshly and inconsiderately by secretary Winwood, as, for doubt that the father should take away the maiden by force, the mother, to get the start, hath conveyed her away secretly; which is ill of all sides. Thus hoping your lordship will not only accept well, but believe my faithful advice, who by my great experience in the world

must needs see farther than your lordship can; I ever rest

Your Lordship's true and most devoted friend and servant,

FR. BACON, C. S.

I have not heard from your lordship since I sent the king my last account of council business: but I assure myself you received it, because I sent at the same time a packet to secretary Lake, who hath signified to me that he hath received it.

I pray your lordship deliver to his majesty this little note of chancery business.

July 12, 1617.

CLXXXII. TO THE KING[1].

IT MAY PLEASE YOUR MOST EXCELLENT MAJESTY,

I THINK it agreeable to my duty, and the great obligation wherein I am tied to your majesty, to be freer than other men in giving your majesty faithful counsel, while things are in passing; and more bound than other men in doing your commandments, when your resolution is settled, and made known to me.

I shall therefore most humbly crave pardon from your majesty, if in plainness, and no less humbleness, I deliver to your majesty my honest and disinterested opinion, in the business of the match of Sir John Villiers, which I take to be *magnum in parvo:* preserving always the laws and duties of a firm friendship to my lord of Buckingham, whom I will never cease to love, and to whom I have written already, but have not heard yet from his lordship.

But first I have three suits to make to your majesty, hoping well you will grant them all.

The first is, that if there be any merit in drawing on that match, your majesty would bestow the thanks not upon the zeal of Sir Edward Coke to please your majesty, nor upon the eloquent persuasions or pragmaticals of Mr. Secretary Winwood, but upon them, that carrying your commandments and directions with strength and

[1] Stephens's First Collection, p. 210.

justice, in the matter of the governor of Diepe [1], in the matter of Sir Robert Rich, and in the matter of protecting the lady, according to your majesty's commandment; have so humbled Sir Edward Coke, as he seeketh now that with submission, which, as your majesty knoweth, before he rejected with scorn: for this is the true orator that hath persuaded this business; as I doubt not but your majesty in your excellent wisdom doth easily discern.

My second suit is, that your majesty would not think me so pusillanimous, as that I, that when I was but Mr. Bacon, had ever, through your majesty's favour, good reason at Sir Edward Coke's hands, when he was at the greatest, should now, that your majesty of your great goodness hath placed me so near your chair, being, as I hope, by God's grace and your instructions, made a servant according to your heart and hand, fear him, or take umbrage of him, in respect of mine own particular.

My third suit is, that if your majesty be resolved the match shall go on, after you have heard my reasons to the contrary; I may receive therein your particular will and commandments from yourself, that I may conform myself thereunto; imagining with myself, though I will not wager on womens minds, that I can prevail more with the mother than any other man. For if I should be requested in it from my lord of Buckingham, the answers of a true friend ought to be, that I had rather go against his mind than against his good: but your majesty I must obey; and besides I shall conceive that your majesty, out of your great wisdom and depth, doth see those things which I see not.

Now therefore, not to hold your majesty with many words, which do but drown matter, let me most humbly desire your majesty to take into your royal consideration, that the state is at this time not only in good quiet and obedience, but in a good affection and disposition. Your

[1] All that I have seen relating to the difference between the governor of Diepe and Sir Edward Coke, is contained in a letter of secretary Winwood's to my lord Buckingham, dated 29 June this year, and in these words; "Sir Edward Coke hath consigned into the hands of the lords 2400*l.* for the satisfaction of the French ambassador, in the cause which concerneth the governor of Diepe." *Stephens.*

majesty's prerogative and authority having risen some just degrees above the horizon more than heretofore, which hath dispersed vapours: your judges are in good temper; your justices of the peace, which is the body of the gentlemen of England, grow to be loving and obsequious, and to be weary of the humour of ruffling: all mutinous spirits grow to be a little poor, and to draw in their horns; and not the less for your majesty's disauthorising the man I speak of. Now then I reasonably doubt, that if there be but an opinion of his coming in, with the strength of such an alliance, it will give a turn and relapse in mens minds, into the former state of things, hardly to be holpen, to the great weakening of your majesty's service.

Again, your majesty may have perceived, that as far as it was fit for me in modesty to advise, I was ever for a parliament; which seemeth to me to be *cardo rerum* or *summa summarum* for the present occasions. But this my advice was ever conditional; that your majesty should go to a parliament with a council united, and not distracted; and that your majesty will give me leave never to expect, if that man come in. Not for any difference of mine own, for I am *omnibus omnia* for your majesty's service, but because he is by nature unsociable, and by habit popular, and too old now to take a new ply. And men begin already to collect, yea and to conclude, that he that raiseth such a smoke to get in, will set all on fire when he is in.

It may please your majesty, now I have said, I have done; and as I think I have done a duty not unworthy the first year of your last high favour, I most humbly pray your majesty to pardon me, if in any thing I have erred; for my errors shall always be supplied by obedience; and so I conclude with my prayers for the happy preservation of your person and estate.

Your Majesty's most humble, bounden, and most devoted servant,

FR. BACON, C. S.

Gorhambury, July 25, 1617.

CLXXXIII. TO THE EARL OF BUCKINGHAM [1].

MY VERY GOOD LORD,

I DO think long to hear from your lordship, touching my last letter, wherein I gave you my opinion touching your brother's match. As I then shewed my dislike of the matter, so the carriage of it here in the manner I dislike as much. If your lordship think it is humour or interest in me that leads me, God judge my sincerity. But I must say, that in your many noble favours towards me, they ever moved and flowed from yourself, and not from any of your friends whatsoever; and therefore in requital give me leave, that my counsels to you again be referred to your happiness, and not to the desires of any of your friends. I shall ever give you, as I give my master, safe counsel, and such as time will approve.

I received yesterday from Mr. Attorney the queen's bill, which I send your lordship. The payment is not out of lands, but out of the customs, and so it can be but the rent. Your lordship remembereth, it is but in a case which I hope shall never be; that is, after his majesty's death, if she survive. God ever bless and direct you.

Your lordship's most faithful and devoted friend and servant,

FR. BACON, C. S.

Gorhambury, July 25, 1617.

CLXXXIV. TO THE KING [2].

IT MAY PLEASE YOUR MOST EXCELLENT MAJESTY,

I DARE not presume any more to reply upon your majesty, but I reserve my defence till I attend your majesty at your happy return; when I hope verily to approve myself, not only a true servant to your majesty, but a true friend to my lord of Buckingham; and for the times also, I hope to give your majesty a good account, though distance of place may obscure them. But there is one part of your majesty's letter that I could be sorry to take time to answer; which is, that your majesty conceiveth, that whereas I wrote that the height

[1] Stephens's First Collection, p. 213. [2] Ibid. p. 214.

of my lord's fortune might make him secure, I meant that he was turned proud, or unknowing of himself; surely the opinion which I have ever had of my lord, whereof your majesty is best witness, is far from that. But my meaning was plain and simple, that his lordship might, through his great fortune, be the less apt to cast and foresee the unfaithfulness of friends, and the malignity of enemies, and accidents of time. Which is a judgment, your majesty knoweth better than I, that the best authors make of the best and best tempered spirits, "ut sunt res humanæ;" insomuch that Guicciardine maketh the same judgment, not of a particular person, but of the wisest state of Europe, the senate of Venice, when he saith, their prosperity had made them secure, and underweighers of perils. Therefore I beseech your majesty to deliver me in this from any the least imputation upon my dear and noble lord and friend. And so expecting that that sun which when it went from us left us cold weather, and now it is returned towards us hath brought with it a blessed harvest; will, when it cometh to us, dispel and disperse all mists and mistakings.

July 31, 1617.

CLXXXV. TO THE EARL OF BUCKINGHAM [1].

MY VERY GOOD LORD,

SINCE my last to your lordship, I did first send for Mr. Attorney General, and made him know, that, since I heard from court, I was resolved to further the match and the conditions thereof for your lordship's brother's advancement the best I could. I did send also to my lady Hatton, and some other special friends, to let them know, I would in any thing declare for the match; which I did, to the end that if they had any apprehension of my assistance, they might be discouraged in it. I sent also to Sir John Butler, and after by letter to my lady your mother, to tender my performance of any good office towards the match or the advancement from the mother. This was all I could think of for the present.

[1] Stephens's First Collection, p. 215.

I did ever foresee, that this alliance would go near to lose me your lordship that I hold so dear; and that was the only respect particular to myself that moved me to be as I was, till I heard from you. But I will rely upon your constancy and nature, and my own deserving, and the firm tye we have in respect of the king's service.

In the mean time I must a little complain to your lordship, that I do hear my lady your mother and your brother Sir John do speak of me with some bitterness and neglect. I must bear with the one as a lady, and the other as a lover, and with both for your lordship's sake, whom I will make judge of any thing they shall have against me. But I hope, though I be a true servant to your lordship, you will not have me to be a vassal to their passions, especially as long as they are governed by Sir Edward Coke and secretary Winwood, the latter of which I take to be the worst; for Sir Edward Coke, I think, is more modest and discreet: therefore your lordship shall do me right: and yet I shall take it for favour, if you signify to them, that you have received satisfaction from me, and would have them use me friendly and in good manner. God keep us from these long journeys and absence, which make misunderstandings and give advantage to untruth, and God ever prosper and preserve your lordship.

Your lordship's true and devoted friend and servant,

FR. BACON, C. S.

Gorhambury, Aug. 23, 1617.

CLXXXVI. A MEMORIAL FOR YOUR MAJESTY [1].

ALTHOUGH I doubt not but your majesty's own memory and care of your affairs will put you in mind of all things convenient against you shall meet with your council, yet some particulars I thought it not unfit to represent to your majesty; because they passed the labour of your council.

I. Some time before your departure, here was delivered unto you by the officers of your exchequer a com-

[1] Stephens's Second Collection, p. 58.

putation of your revenue and expence, wherein was expressed that your revenue ordinary was not only equal to your expence, but did somewhat exceed it, though not much.

In this point, because the half year will now be expired at Michaelmas, it shall be fit, that your majesty call to account, whether that equality hath held for this half year; and if not, what the causes have been, and whether the course prescribed hath been kept, that the ordinary expence hath been borne out of the ordinary revenue, and the extraordinary only out of such money as hath come in by extraordinary means, or else your estate cannot clearly appear.

II. To maintain this equality, and to cause your majesty's state to subsist in some reasonable manner till farther supply might be had, it was found to be necessary that 200,000*l.* of your majesty's most pregnant and pressing debts should be discharged; and after consideration of the means how to do that, two ways were resolved on. One that 100,000*l.* should be discharged to the farmers of your customs by 25,000*l.* yearly, they having for their security power to defalke so much of their rent in their own hands: but because if that should be defalked, then your ordinary should want so much, it was agreed that the farmers should be paid the 25,000*l.* yearly in the sale of woods.

In this point it is fit for your majesty to be informed what hath been done, and whether order hath been taken with the farmers for it, and what debts were assigned to them so to discharge; for of the particulars of that course I never heard yet.

And because it is apparent that the woodfalls this year do not amount to half that sum of 25,000*l.* your majesty is to give charge that consideration be had how the same shall be supplied by some other extraordinary for the present year, or else here will follow a fracture of the whole assignments.

Item, Your majesty may please to call for information how that money raised upon the woods is employed, so much as is already received, and to be wary that

no part hereof be suffered to go for extraordinaries, but to be employed only for the use for which it is assigned, or else a greater rupture will follow in your assignments.

Item, A special consideration is to be had what course shall be taken for the rest of the years with the wood sales for supply of this £5,000*l.* yearly.

III. The other hundred thousand pound was agreed to be borrowed, and an allotment made by my lords of the council at the table, how the same should be imployed, and for what special services, whereof I deliver to your majesty herewith a copy.

In which point it may please your majesty to cause yourself to be informed how that allotment hath been observed, and because it is likely that a good part of it hath gone towards the charges of this your journey to Scotland, at least so it is paid, your majesty is to call for the particulars of that charge, that you may see how much of that hundred thousand it taketh up.

And then consideration is to be had how it may be supplied with some extraordinary comings in, as namely the moneys to come from the merchant-adventurers, that the same be allotted to none other use, but to perform this allotment, that so the foundation laid may be maintained, or else all will be to seek; and if there be any other extraordinary means to come to your majesty, that they may be reserved to that use.

And because care must be had to keep your credit in London, for this money borrowed, your majesty may please to call for information what is done in the matter of the forests, and what sum, and in what reasonable time, is like to be made hereof.

The extraordinaries which it is like will be alledged for this year.

Your majesty's journey into Scotland.
The lord Hay's employment into France.
The lord Roos into Spain.
The Baron de Tour extraordinary from France.
Sir John Bennett to the Archduke.
The enlarging your park at Theobalds.
Sir John Digby's sending into Spain.

Of all which when your majesty hath seen an estimate what they amount unto, and what money hath been already delivered towards them, which I fear will fall to be out of the moneys borrowed at London; then it is to be considered what extraordinaries are any ways to come in, which may supply these extraordinaries laid out, and be employed for the uses for which the moneys borrowed were intended.

CLXXXVII. TO THE EARL OF BUCKINGHAM [1].

MY EVER BEST LORD, NOW BETTER THAN YOURSELF,

YOUR lordship's pen or rather pencil hath pourtrayed towards me such magnanimity and nobleness and true kindness, as methinketh I see the image of some ancient virtue, and not any thing of these times. It is the line of my life, and not the lines of my letter, that must express my thankfulness: wherein if I fail, then God fail me, and make me as miserable as I think myself at this time happy by this reviver, through his majesty's singular clemency, and your incomparable love and favour. God preserve you, prosper you, and reward you for your kindness to

Your raised and infinitely obliged friend and servant,

FR. BACON, C. S.

Sept. 22, 1617.

CLXXXVIII. TO THE EARL OF BUCKINGHAM [2].

MY VERY GOOD LORD,

I SEND your lordship the certificate touching the inrolment of prentices. We can find no ground for it by law. Myself shall ever be ready to further things that your lordship commendeth; but where the matter will not bear it, your lordship, I know, will think not the worse, but the better of me, if I signify the true state of things to your lordship; resting ever

Your lordship's true friend and devoted servant,

FR. BACON, C. S.

York-house, October 29, 1617.

[1] Stephen's First Collection, p. 217. [2] Ibid.

THE CERTIFICATE.

According to his majesty's command signified by your lordship's letters, we have advisedly considered of the petition touching the inrolment of apprentices indentures, and heard the petitioners counsel, and do find as followeth:

1. That the act of parliament 5 Eliz. doth not warrant the erecting of an office to inroll such indentures, in cities, towns corporate, or market towns; but if any such inrolment should be, it must be by the officers there, who are assigned to perform sundry other things touching apprentices and servants.

2. That in country villages, for which the suit carries most colour, we cannot give the suitors hope, that any profit will be there made, warrantable by law.

Thus we have, according to our duties, certified our opinions of this petition, submitting the same nevertheless to his majesty's great wisdom; and rest

At your lordship's command,

FR. BACON, C. S.
H. MONTAGUE,
THO. COVENTRY.

Oct. 25, 1617.

CLXXXIX. TO THE EARL OF BUCKINGHAM [1].

MY VERY GOOD LORD,

THE liking which his majesty hath of our proceeding concerning his houshold, telleth me that his majesty cannot but dislike the declining and tergiversation of the inferior officers; which by this time he understandeth.

There be but four kinds of retrenchments. 1. The union of tables. 2. The putting down of tables. 3. The abatement of dishes to tables. 4. The cutting off new diets and allowance lately raised; and yet perhaps such as are more necessary than some of the old.

In my opinion, the first is the best and most feasible. The lord chamberlain's table is the principal table of state. The lord steward's table, I think, is much fre-

[1] Stephens's First Collection, p. 219.

quented by Scotish gentlemen. Your lordship's table hath a great attendance; and the groom of the stole's table is much resorted to by the bedchamber. These would not be touched. But for the rest, his majesty's case considered, I think they may well be united into one.

These things are out of my element, but my care runneth where the king's state most laboureth: Sir Lionel Cranfield[1] is yet sick, for which I am very sorry; for methinks his majesty, upon these tossings over his business from one to others, hath an apt occasion to go on with sub-committees. God ever preserve and prosper you.

Your lordship's true friend and devoted servant,

FR. BACON, C. S.

York-house, Nov, 19, 1617.

CXC. TO THE LORD KEEPER[2].

MY HONOURABLE LORD,

His majesty commandeth me to write to your lordship, that he wonders your hand being at that letter of the lords of the council, which he saith is a very blunt one; you have not besides sent him some advice of your own, his majesty having only intrusted you to speak with Sir Lionel Cranfield about his estate.

Your lordship's faithful friend and servant,

G. BUCKINGHAM.

Newmarket, 19 Nov. 1617.

[1] Sir Lionel Cranfield was a man of so much note in these times, and so often named in these papers, that I cannot omit taking some notice of his good and bad fortunes. He was bred a merchant, yet by his great abilities in, and application to business, and the relation he had to my lord of Buckingham by marriage, he was raised to be master of the court of requests, then of the wardrobe, and after of the court of wards, created Lord Cranfield, and earl of Middlesex; missing the lord keeper's place, he was constituted lord high treasurer, which being an office he understood as well as any, we may conclude his integrity fell short of his ability, from the severe judgment given against him by the house of lords in 1624. *Stephens.*

[2] Stephens's Second Collection, p. 64.

CXCI. TO THE EARL OF BUCKINGHAM [1].

MY VERY GOOD LORD,

YESTERDAY at afternoon were read at the table his majesty's two letters [2], written with his own hand, the matter worthy the hand. For they were written "ex arte imperandi," if I can judge; and I hope they and the like will disinchant us of the opinion, which yet sticks with us, that to-day will be as yesterday, and to-morrow as to-day; so as there will be, as he saith, "Acribus initiis, fine incurioso."

I hold my opinion given in my former letter, that the uniting of some tables is the most passable way. But that is not all: for when that is done, the king

[1] Stephens's Second Collection, p. 65.

[2] One of these letters of K. James, as it contains a specimen of the frugality and good œconomy of his court, and relates to the subject we are upon, I have borrowed from the Cabala, p. 258, in terms following.

A letter read at the council-board 21 Nov. 1617, touching the abatement of his majesty's houshold charge.

MY LORDS:

No worldly thing is so precious as time: ye know what task I gave you to work upon, during my absence; and what time was limited unto you, for the performance thereof. This same chancellor of Scotland was wont to tell me twenty-four years ago, that my house could not be kept upon epigrams: long discourses and fair tales will never repair my estate. "Omnis virtus in actione constitit." Remember, that I told you, the shoe must be made for the foot, and let that be the square of all your proceeding in this business. Abate superfluities of all things; and multitudes of unnecessary officers, wherever they be placed. But for the houshold, wardrobe, and pensions, cut and carve as many as may agree with the possibility of my means. Exceed not your own rule of 50,000*l.* for the houshold. If you can make it less I will account it for good service. And that you may see I will not spare mine own person, I have sent, with this bearer, a note of the superfluous charges concerning my mouth, having had the happy opportunities of this messenger, in an errand so nearly concerning his place. In this I expect no answer in word or writing, but only the real performance, for a beginning to relieve me out of my miseries. For now the ball is at your feet, and the world shall bear me witness, that I have put you fairly to it; and so praying God to bless your labours, I bid you heartily farewel. Your own,

JAMES R.

Mr. Stephens says, In the other I suppose his majesty apprehends that the vigour the council at first shewed in reducing the charge of his houshold, would not be of long continuance: it being observed by Tacitus, in the words here cited, to be a thing not unusual in public affairs, that violent beginnings had negligent conclusions.

may save greatly in that which remaineth. For if it be set down, what tables shall be fixed, and what diet allowed to them, my steward, as ill a *mesnager* as I am, or my lord mayor's steward, can go near to tell, what charge will go near to maintain the proportion. Then add to that some large allowance for waste, because the king shall not lose his prerogative to be deceived more than other men, and yet, no question, there will be a great retrenchment. But against this last abatement will be fronted the payment of arrears. But I confess I would be glad that I might see, or rather that a parliament may see, and chiefly that the king, for his own quiet, may see, that upon such a sum paid, such an annual retrenchment will follow: for things will never be done in act, except they be first done in conceit.

I know these things do not pertain to me; for my part is to acquit the king's office towards God by administration of justice, and to oblige the hearts of his people to him by the same, and to maintain his prerogative. But yet because it is *in hoc* that the king's case laboureth, I cannot but yield my care, and my strength too, in council, such as it is; which cannot be so much, as it was between our Lady-day and Michaelmas-last. But whatsoever it is, it is wholly his majesty's, without any deflexion.

As soon as I find any possibility of health in Sir Lionel Cranfield, to execute a sub-commission, I will by conference with him frame a draught of a letter from his majesty, for which there is the fairest occasion in the world. And the king hath prepared it as well as possible. God ever preserve and prosper you.

Your lordship's true friend and devoted servant,

FR. BACON, C. S.

York-house, Nov. 22, 1617.

CXCII. TO THE EARL OF BUCKINGHAM [1].

MY LORD,

How well I wish to Sir Gilbert Haughton, himself I dare say doth not doubt, partly out of mine own affection, and chiefly for your lordship's affection towards him, which is to me more than mine own. That the king should make bargains of hope, when his treasure sufficeth not for his own charge, I may not advise for my dearest friends; for I am nailed to the king's estate. But two things I shall assent unto; the one, that if the king can redeem his works without charge of officers, I shall be glad of it, both for the gentleman's sake, and because I perceive the uniting of the allum-works in the king's hand is best; the other, that if his majesty be pleased to signify his pleasure to my lord treasurer and me, that there be no forfeiture taken by Banister till the king shall advise of this bargain, we will hold him to it. God preserve and prosper your lordship. Your lordship, I think, perceiveth both by scribbling and cursory inditing, that I write in straits of business.

Your lordship's true friend and devoted servant,

FR. BACON, C. S.

York-house, this 24th of Nov. 1617.

CXCIII. TO THE EARL OF BUCKINGHAM [2].

MY VERY GOOD LORD,

I SEND your lordship a draught of a letter touching the sub-commission, written in wide lines, because it may be the better amended by his majesty. I think it is so penned as none can except to it, no nor imagine any thing of it. For the houshold business there was given a fortnight's day: for the pensions, the course which I first propounded, of abating a third throughout, and some wholly, seemeth well entered into. These be no ill beginnings. But this course of the sub-commission

[1] Stephens's Second Collection, p. 67. [2] Ibid.

threads all the king's business. God ever preserve and prosper you.

Your lordship's true friend and devoted servant,

FR. BACON, C. S.

York-house, Nov. 27, 1617.

Sir Lionel Cranfield is now reasonably well recovered.

DRAUGHT OF THE SUB-COMMISSION.

MY LORDS,

In this first and greatest branch of our charge concerning our house, we do find what difficulties are made, and what time is lost, in disputing of and devising upon the manner of doing it: whereof the matter must be, and is so fully resolved. Neither can we but see in this, as in a glass, the like event to follow in the rest upon like reason. For the inferior officers in every kind, who are best able for skill to propound the retrenchments, will out of interest or fearfulness make dainty to do service; and that which is done with an ill-will will never be well done. Again, to make it the act of the whole table, for the particular propositions and reckonings, will be too tedious for you, and will draw the business itself into length; and to make any particular committees of yourselves, were to impose that upon a few, which requireth to be carried indifferently as the act of you all. For since the great officers themselves think it too heavy for them, as our state now is, to deal in it, without bringing it to the table; with much more reason may any particular persons of you be loth to meddle in it, but at the board. In all which respects we have thought fit, neither do we see any other way, that you send unto us the names of the officers of our exchequer, and our custom-house, and auditors, out of which we will make choice of some few, best qualified to be sub-committees, for the better ease, and the speeding of the business by their continual travels and meetings; whose part and employment we incline to be to attend the principal officers in their several charges, and join themselves to some of the inferior officers, and so take upon them the mechanic and laborious part of every

business, thereby to facilitate and prepare it for your consultations, according to the directions and instructions they shall receive from you from time to time.

CXCIV. TO THE KING [1].

MAY IT PLEASE YOUR MAJESTY,

BEING yesterday assembled in council to proceed in the course we had begun for retrenchment of your majesty's expences; we received your princely letters, whereby we are directed to send to your majesty the names of the officers of the exchequer, custom-house, and auditors, out of which you purpose to make choice of some to be sub-committed to handle the mechanic and laborious part of that which your majesty had appointed to our care; we have, according to our duty, sent unto your majesty the names of the several officers of your majesty in those places, to be ordered as your wisdom shall think best to direct. But withal, we thought it appertenant to our duties to inform your majesty how far we have proceeded in the several heads of retrenchments by your majesty at your departure committed unto us, that when you know in what estate our labours are, your judgment may the better direct any further course as shall be meet.

The matter of the household was by us, some days since, committed peremptorily to the officers of the house, as matter of commandment from your majesty, and of duty in them, to reduce the expense of your house to a limited charge of fifty thousand pounds by the year, besides the benefit of the compositions: and they have ever since painfully, as we are informed, travailed in it, and will be ready on Sunday next, which was the day given them, to present some models of retrenchments of divers kinds, all aiming at your majesty's service.

In the point of pensions we have made a beginning, by suspending some wholly for a time, and of others of a third part; in which course we are still going on, until we make it fit to be presented to your majesty; in like

[1] Stephens's Second Collection, p. 69.

manner the lord chamberlain and the lord Hay did yesterday report unto us, what their travail had ordered in the wardrobe: and although some doubt did arise unto us, whether your majesty's letters intended a stay of our labours, until you had made choice of the sub-committee intended by you; yet presuming that such a course by sub-committee was purposed rather for a furtherance, than lett to that work, we did resolve to go on still till your majesty's further directions shall come unto us; and then according to our duty we will proceed, as we shall be by your majesty commanded. In the mean time we thought it our duty to inform your majesty of what we have done, that neither your majesty may conceive that we have been negligent in those things which were committed unto us, nor your directions by your late letters hinder or cast back that which is already so far proceeded in. And so humbly kissing your royal hands, and praying to the Almighty for your long and happy reign over us, we rest

Your majesty's most humble and obedient subjects and servants,

G. CANT.	LENOX.	PEMBROKE.
E. WORCESTER.	W. WALLINGFORD.	L. ELIEN.
T. ARUNDEL.	JAMES HAY.	T. EDMONDS.
E. WOTTON.	JUL. CÆSAR.	EDW. COKE.
T. LAKE.	T. SUFFOLK.	C. EDMONDS.
FR. BACON, C. S.		

5 Dec. 1617.

CXCV. TO THE MARQUIS OF BUCKINGHAM[1].

MY VERY GOOD LORD,

I WRITE now only, rather in a kind of continuance and fresh suit, upon the king's business, than that the same is yet ripe, either for advertisement, or advice.

The sub-commissioners meet forenoon and afternoon, with great diligence, and without distraction or running several ways: which if it be no more than necessary, what would less have done? that is, if there had been no sub-commissioners, or they not well chosen.

I speak with Sir Lionel Cranfield, as cause requireth

[1] Stephens's Second Collection, p. 71.

either for account or direction, and as far as I can, by the taste I have from him, discern, probably their service will attain, and may exceed his majesty's expectation.

I do well like the course they take, which is, in every kind to set down, as in beer, in wine, in beef, in muttons, in corn, etc. what cometh to the king's use, and then what is spent, and lastly what may be saved. This way, though it be not so accusative, yet it is demonstrative. "Nam rectum est index sui et obliqui," and the false manner of accounting, and where the gain cleaveth, will appear after by consequence. I humbly pray his majesty to pardon me for troubling him with these imperfect glances, which I do, both because I know his majesty thinketh long to understand somewhat, and lest his majesty should conceive, that he multiplying honours and favours upon me, I should not also increase and redouble my endeavours and cares for his service. God ever bless, preserve, and prosper his majesty and your lordship, to whom I ever remain

Your true and most devoted servant,

16 Jan. 1617. FR. BACON, C. S.

CXCVI. TO MR. MATTHEW, ABOUT READING AND GIVING JUDGMENT UPON HIS WRITINGS[1].

SIR,

BECAUSE you shall not lose your labour this afternoon, which now I must needs spend with my [2]lord chancellor, I send my desire to you in this letter, that you will take care not to leave the writing, which I left with you last, with any man, so long, as that he may be able to take a copy of it; because, first, it must be censured by you, and then considered again by me. The thing which I expect most from you is, that you would read it carefully over by yourself, and to make some little note in writing, where you think, to speak like a

[1] Sir Tobie Matthew's Second Collection of Letters, p. 22.

[2] This seems to be spoken pleasantly of himself, and to refer to Jan. 15, 16 $\frac{17}{18}$, on which day the lord Verulam was by special warrant made lord chancellor. Rymer XVII. p. 55, and at which time probably some affairs, that required privacy and retirement might occur.

critic, that I do perhaps *indormiscere*, or where I do *indulgere genio*; or where, in fine, I give any manner of disadvantage to myself. This, *super totam materiam*, you must not fail to note: besides, all such words and phrases as you cannot like; for you know in how high account I have your judgment.

CXCVII. TO THE MARQUIS OF BUCKINGHAM[1].

MY VERY GOOD LORD,

I THOUGHT fit by this my private letter to your lordship, to give you an account of such business as your lordship hath recommended unto me, that you may perceive that I have taken that care of them I ought, and ever shall in those you recommend or remit to me.

For the suit of the alehouses which concerneth your brother Mr. Christopher Villiers, and Mr. Patrick Mawl, I have conferred with my lord chief justice, and Mr. Solicitor thereupon, and there is a scruple in it that it should be one of the grievances put down in parliament; which if it be, I may not in my duty and love to you advise you to deal in it; if it be not, I will mold it in the best manner and help it forward. The stay is upon the search of the clerk of the parliament, who is out of town; but we have already found, that the last grievance *in septimo*, is not the same with this suit; but we doubt yet of another *in tertio*.

For the business of Mr. Leviston, for your lordship's sake, who I perceive keeps your noble course with me, in acquainting me with these things, I shall apply myself unto you; though in my nature I do desire that those that serve in the court where I sit, though they be not in places of my gift, and so concerns not me nor my place in profit; yet I wish, I say, I might leave them in as good case as I find them. And this suit concerneth the main profit of the six clerks; who though they be of the master of the rolls his gift, yet they serve in my court. But my greatest doubt is, that the grant

[1] Stephens's Second Collection, p. 73.

cannot be good in law; and that it is not like those other precedents, whereof I have received a note. For the difference is, where things have been written by all the clerks indifferently and loosely, in which case the king may draw them into an office; and where they have appertained to one especial office; in which case the king can no more take away the profits of a man's office, than he can the profits of his land. Therefore I think your lordship may do well to write to Mr. Solicitor [1] and serjeant Finch [2], or some other lawyers that you trust, or such as Mr. Leviston trusteth, being persons of account, to inform you of the point in law, before you proceed any farther: for without that all is in vain.

For the business of Hawkins, touching the register for the commission of bankrupts; I am not yet satisfied likewise for the law, nor for the conveniency; but I rather incline to think it may pass; and I have set it in a course by which it may be throughly informed.

For Sir Rowland Egerton's cause, and his lady's, the parties have submitted themselves unto me, and are content to do it by bond, and therefore I will undoubtedly make an end of it according to justice and conscience.

For Sir Gilbert Houghton's business, I am in very good hope to effect your lordship's desire for his good.

For Moor's business, concerning the printing of books, after hearing all parties, I have sealed his patent; but for his former patent of salt, I dare not do it, without acquainting the council therewith, which I am ready to do, if he require that course to be taken.

If his majesty at any time ask touching the lord Clif-

[1] Sir Thomas Coventry.

[2] Sir Henry Finch, serjeant at law, being the first of his name that made a considerable figure in that profession, I shall give a short account of him. He was younger brother to Sir Moyle Finch, of Eastwel in the county of Kent, and father of John, lord Finch, keeper of the great seal in the reign of king Charles I. He died in 1625, leaving to posterity a sufficient testimony of his learning in the law, as well as the sciences, in his book intitled, "A Description of the Common Laws of England according to the rules of art, etc." His son's good parts and elocution were acknowledged by the greatest of his enemies; which accomplishments, though he died without issue, have eminently appeared in some other descendents from his honourable family. *Stephens.*

ton's business, I pray your lordship represent to his majesty thus much: that whatsoever hath passed, I thank God I neither fear nor hate him; but I am wonderful careful of the seats of justice, that they may still be well munited, being principal sinews of his majesty's authority. Therefore the course will be, as I am advised, that for this hainous misprision, that the party, without all colour or shadow of cause, should threaten the life of his judge, and of the highest judge of the kingdom next his majesty, he be first examined, and if he confess it, then an *ore tenus;* if he confess it not, then an information in the star-chamber, and he to remain where he is till the hearing. But I do purposely forbear yet to have him examined, till the decree or agreement between him and my lord Aubigny, which is now ready, be perfected, lest it should seem an oppression, by the terror of the one, to beat him down in the other. Thus I ever rest

Your lordship's true friend and devoted servant,

FR. BACON, CANC.

York-house, Jan. 25, 1617.

I pray your lordship to pardon me, if in respect of a little watering in one of mine eyes, I have written this letter, being long and private business, in my secretary's hand.

CXCVIII. TO THE LORD CHANCELLOR[1].

MY HONOURABLE LORD,

I HAVE received your lordship's letters, wherein I see the continuance of your love and respect to me, in any thing I write you of, for which I give your lordship many thanks, desiring nothing for any man but what you shall find just and convenient to pass. I am very glad to understand that there is so good hope of Sir Gilbert Houghton's business, which I must needs ascribe to your lordship's great favour toward him for my sake, which I will ever acknowledge. If his majesty at any time

[1] Stephens's Second Collection, p. 75.

speak of the lord Clifton's business, I will answer according to that your lordship hath written, etc.

Your lordship's faithful servant,

G. BUCKINGHAM.

Newmarket, the last of Jan. 1617.

CXCIX. TO THE KING[1].

IT MAY PLEASE YOUR MOST EXCELLENT MAJESTY,

FINDING as well by your majesty's dispatches and directions to your council, as now by speech with Mr. Secretary Lake, that your majesty is content to be troubled with business of sundry natures; I thought good, according to the duty of my place, and the necessity of the occasion, to put your majesty in mind, that on this day seven-night, being Friday in the morning, I am, according to custom, to give a charge and admonition to the judges and justices of peace now before the circuits, wherein I am humbly to crave your majesty's pleasure and directions.

I have for your majesty's better ease set down the heads, which by the prescript of your book, and out of the consideration of the present times, I have thought fittest to be remembered. I have also sent your majesty the last account of the judges circuits, not to trouble you with the reading of them all; but to the end that if upon my memorial, or otherwise out of your majesty's own memory, which is above memorials, you should have occasion to resort to those accounts, the papers may be by you.

The point of greatest weight, in my opinion, is the carrying of a balanced hand at this time in the matter of recusants, in regard of the treaty with Spain. For it were good, in respect of your people, that there were no note made, that the string is relaxed, and in respect of the treaty, that it is not strained; and therefore that the proceeding in those causes be rather diligent than severe.

[1] Stephens's Second Collection, p. 76.

I am wonderful glad to hear that this extremity of weather, which I think the Muscovite hath brought with him, hath not touched your majesty, whose health and ease is far dearer to me than my life with all the appurtenances. God ever preserve and prosper you.

Your majesty's most faithful and most obliged servant,

FR. BACON, CANC.

Friday morning, Feb. 6, 1617.

Your majesty will be pleased your answer be with me on Thursday at noon, or soon after.

CC. TO THE LORD CHANCELLOR [1].

MY HONOURABLE LORD,

I HAVE acquainted his majesty with your letter to me, and delivered likewise to him the letter and other things directed to his majesty, who hath commanded me to return this answer to them all.

First, For your memorial of your charge to the judges, he liketh it so well, that he findeth nothing either to be added or diminished, and was so well satisfied therewith, that he accounteth it needless to read the other papers, but sealed them up again, and sendeth them back to your lordship without reading them. Only in the point of recusants his majesty is of the quite contrary opinion to you; for though he would not by any means have a more severe course held, than his laws appoint in that case, yet sith the many reasons why, there should be no mitigation above that which his laws have enacted, and his own conscience telleth him to be fit. As first, the papists in his kingdom have taken such heart upon the commission given to Sir John Digby touching the match with Spain, that they have sent copies thereof privately up and down, and are so lifted up in their hopes of what they desire, that his majesty cannot but take a more severe course, as far as by his laws he may, than hitherto he hath done. Besides, when they shall see a harder

[1] Stephens's Second Collection, p. 77.

hand carried toward them than hath been accustomed, his majesty assureth himself, they will employ all their means to further the match, in hope of mitigating of that severity when it shall be accomplished. And though these reasons were not, his majesty would account it a baseness in a prince to shew such a desire of the match, as to slack any thing in his course of government, much more in propagation of the religion he professeth, for fear of giving hindrance to the match thereby. And so with many thanks for your favours to my brother in his business, I rest

Your lordship's faithful servant,

G. BUCKINGHAM.

Newmarket, 8 Feb. 1617.

CCI. TO THE MARQUIS OF BUCKINGHAM.[1]

MY VERY GOOD LORD,

MR. Chancellor of the exchequer hath signified to me this day, that yesterday his majesty called him to his coach, and said to him, that one that had used ill speech of me should be called before me, and make his submission to me; and thereupon be called before the council, and receive a sharp reprehension, and so be inlarged. And Mr. Chancellor could not tell me who the person was, but after by some letter he received from my lord Clifton, and speech with a man of his, he perceived it was he.

I pray your lordship in humbleness to let his majesty know, that I little fear the lord Clifton, but I much fear the example, that it will animate ruffians and rodomonti extremely against the seats of justice, which are his majesty's own seats, yea and against all authority and greatness, if this pass without public censure and example; it having gone already so far as that the person of a baron hath been committed to the Tower. The punishment it may please his majesty to remit, and I shall not formally but heartily intercede for him: but an example, setting myself aside, I wish for terror of

[1] Stephens's Second Collection, p. 79.

persons that may be more dangerous than he, towards the least judge of the kingdom.

Therefore it may please his majesty to speak of it with myself and my lords, when he cometh next, and in the mean time I will command, from his majesty, the master of the rolls, and Mr. Attorney, who were appointed by the table to examine him, to stay [1]. God ever prosper you.

Your majesty's true friend and devoted servant,

FR. BACON, CANC.

March 17, 1617.

CCII. TO THE MARQUIS OF BUCKINGHAM [2].

MY VERY GOOD LORD,

WE have sat once upon the commission of treasure to no ill purpose, as may appear by the account inclosed; wherein his majesty will find no preposterous issue of treasure: Mr. Chancellor imagines well, Coke seeks and beats over, as well where it is not, as where it is; secretary Naunton forgets nothing. I will look to bow things to the true ends. God bless and prosper his majesty and yourself.

Your lordship's most obliged friend and faithful servant,

FR. VERULAM, CANC.

25 July, 1617.

CCIII. TO THE MARQUIS OF BUCKINGHAM [3].

MY VERY GOOD LORD,

I PRAY your lordship to signify to his majesty, that I thought it my duty to stay at the seal, a book of Sir Francis Steward's, and Sir James Auterlony, etc. of 200*l.* land in charge in fee-simple: my reasons,

First, It is a perpetuity, and so much rent in diminution of revenue certain.

Secondly, The warrant, as is acknowledged, came only from my lord of Suffolk, and not from Mr. Chancellor.

[1] I know not whether there was any prosecution against the lord Clifton, or whether it was prevented by the laying of violent hands upon himself, in the year ensuing. *Stephens.*

[2] Stephens's Second Collection, p. 80. [3] Ibid.

And yet my lord was wont to boast, that since he was treasurer, all commissions and contracts for sale of the king's lands were broken off and ceased.

Thirdly, The rate of the moneys paid by the gentlemen amounteth but to thirteen years purchase; which is a plain gift of a good proportion of value.

If his majesty, now informed, iterate his mandate, it is done, and I excused; but I could wish his majesty would refer it to the commissioners of the treasury, how the gentlemen may be otherwise satisfied.

I received yesternight a brave account of the commission of the wards in Ireland, which this one year is advanced from 200*l.* per annum to 4000*l.* which is twenty fold multiplied. This I write for two reasons. First, Because I glory in it, because it was my work wholly; next, because his majesty may take occasion by this to look better to the improvement of his wards in England in due time. God ever preserve and prosper you.

Your lordship's most obliged friend and faithful servant,

FR. VERULAM, CANC.

York-house, July 27, 1618.

CCIV. TO THE MARQUIS OF BUCKINGHAM [1].

MY VERY GOOD LORD,

I AM very glad to hear of the honour his majesty intendeth to my noble lady your lordship's mother [2]. This amongst many other things, sheweth in your lordship good nature, which is the root of all virtues, next religion. Besides, it doth sort well in states, when place and power do meet, and stand not too far at distance.

For the passing of it by direction without bill signed, it cannot be in law. So is Mr. Attorney's opinion, and so is mine; and therefore there is presently a bill sent

[1] Stephens's Second Collection, p. 82.

[2] The advancement of this lady to the title of the countess of Buckingham, was, notwithstanding the reasons here alledged, so ill resented by the house of commons in 1626, that in article XI. of their impeachment of the duke her son, it was objected against him as one of his offences. *Stephens.*

with an indorsement of passing it by immediate warrant, and this antedate.

For the antedate, I must present his majesty with my caution, and with my obedience.

For the statute tieth me from antedates; and indeed the mischief is infinite: for by that means the king may grant any land, etc. and take it away a month hence, and grant it another by an antedate [1]. And surely were it land or the like, I would not say *absit,* or your majesty cannot do it, for a world; or, Your majesty is sworn and I am sworn; or such brave phrases: but surely, I say, I would in humbleness represent it to his majesty [2].

But the case of honour differeth; for therein his majesty's prerogative and declaration is absolute, and he may make him that is last to be first. And therefore upon his majesty's signification of his pleasure upon the indorsement of the bill signed, I take it I may lawfully do it.

I am here rejoicing with my neighbours the townsmen of St. Albans, for this happy day, the fifth of August [3], 1618.

Your lordship's most obliged friend and faithful servant,

Gorhambury. FR. VERULAM, CANC—

CCV. TO THE MARQUIS OF BUCKINGHAM [4].

MY VERY GOOD LORD,

I THANK your lordship for your last loving letter. I now write to give the king an account of a patent I have stayed at the seal. It is of licence to give in mortmain eight hundred pound land, though it be of

[1] 18 Hen. VII. cap. 1.

[2] By this and the preceding letter it appears, that as my lord chancellor thought it his duty to offer to the king his reasons against passing of a patent: yet if then the king, who was judge of the inconvenience, was pleased to command it, he was obliged to allow the same. But in those things which were contrary to law, as it is to be presumed, that after an humble representation thereof, no prince would exact, so no minister in such a case would yield an obedience. *Stephens.*

[3] The fifth of August, being the anniversary of the king's deliverance from the earl of Gowry's conspiracy, was by some called the court holiday, and ridiculed as a fiction; though the truth thereof being delivered down by Archbishop Spotswood, and other good historians, I see no great reason to call it into question. *Stephens.*

[4] Stephens's Second Collection, p. 83.

tenure in chief to Allen [1] that was the player, for an hospital.

I like well that Allen playeth the last act of his life so well; but if his majesty give way thus to amortize his tenures, his courts of wards will decay; which I had well hoped should improve.

But that which moved me chiefly is, that his majesty now lately did absolutely deny Sir Henry Savile for 200*l.* and Sir Edward Sandys for 100*l.* to the perpetuating of two lectures, the one in Oxford, the other in Cambridge, foundations of singular honour to his majesty, the best learned of kings, and of which there is great want; whereas hospitals abound, and beggars abound never a whit the less [2].

[1] That Allen the player, who founded an hospital at Dulwich in Surry, had been an excellent actor of the comical and serious part, will appear evident to any one that shall thoroughly consider the following epigram made by that admirable dramatic poet, Ben Johnson.

To Mr. EDWARD ALLEN.

If Rome so great, and in her wisest age,
Fear'd not to boast the glories of her stage:
As skilful Roscius, and grave Æsop, men
Yet crown'd with honours, as with riches then;
Who had no less a trumpet of their name,
Than Cicero, whose every breath was fame:
How can so great example die in me?
That, Allen, I should pause to publish thee;
Who both their graces in thyself hast more
Outstript, than they did all that went before:
And present worth in all dost so contract,
As others speak, but only thou dost act.
Wear this renown. 'Tis just that who did give
So many poets life, by one should live.

[2] It were to be wished this observation did not hold true to this day: for though the foundations of hospitals are to be commended, which Sir Francis Bacon hath done both in this letter, and other his writings; yet it shews that some more adequate remedy for supporting the poor, than what arises from these charities, or even from the laws enacted for their relief, was then, and yet is to be desired. And as the defect thereof is no small reproach to the government of a country, happy in its natural product, and enriched by commerce; so it would be an act of the greatest humanity, to provide for the poor, and that idleness and beggary, the successive nursery of rogues, might as far as possible be extirpated. Upon this occasion I cannot but take notice of a story which has been spread abroad to the defamation of Sir Francis Bacon, though upon no good ground, as far as I can judge, as if in the accomplishment of the foundation of the Charter-house hospital, begun by Mr. Sut-

If his majesty do like to pass the book at all; yet if he would be pleased to abridge the 800*l.* to 500*l.* and then give way to the other two books for the university, it were a princely work. And I would make an humble suit to the king, and desire your lordship to join in it, that it might be so. God ever preserve and prosper you.

Your Lordship's most obliged friend and faithful servant,

FR. VERULAM, CANC.

York-house, Aug. 18, 1618.

I have written to my lord chamberlain, being chancellor of Oxford, to help in the business.

CCVI. TO THE MARQUIS OF BUCKINGHAM [1].

MY VERY GOOD LORD,

WHAT passed in your lordship's presence, your lordship can tell, touching the navy. The morrow following we concluded in approbation of the books, save in one point, touching the number convenient for manning the ships, wherein the number allowed by the commissioners had, in my judgment, a little of the merchant; for to measure by so many as were above dead pays, is no good argument. For the abuse of dead pays is to be amended, and not the necessary number abated. In this his majesty may fall upon a middle proportion between that of the commissioners and that of the officers.

ton, and carried on by his executors, Sir Francis, who was then the king's solicitor, had, for some ill designs of gain to himself or others, endeavoured to have defeated the same. The fact was, that the heir at law supposing, notwithstanding what Mr. Sutton had done in procuring acts of parliament, and patents from the king, in order to establish this noble charity, that the greatest part of his estate was descended to him, it was argued on his behalf by the solicitor-general, by Mr. Henry Yelverton, and Mr. Walter, men of great reputation in those times: and whatever ill intentions some of the court might have, my request to the reader is, that before he pass any censure upon Sir Francis Bacon, relating hereunto, he would please to peruse his advice, printed in Vol. III. p. 388, given to the king touching Mr. Sutton's estate. *Stephens.*

[1] Stephens's Second Collection, p. 84.

It were good, now the three books, which we have appointed to be ingrossed into one leidger-book, are affirmed, there were a short book of his majesty's royal directions, and orders thereupon, extracted.

For the commission of the treasury, I persuade myself, they are of the first hours that have been well spent in that kind. We have put those particulars, whereof his majesty gave us charge, into a way.

Bingley's information will be to good purpose, and we find another of like nature revealed to Mr. Secretary and myself. God ever prosper you.

Your lordship's most obliged friend and faithful servant,

FR. VERULAM, CANC.

9 October, 1618.

CCVII. TO THE MARQUIS OF BUCKINGHAM [1].

MY VERY GOOD LORD,

LOOKING for matter of service, I have found out a suit for myself: and it is proper for me more than all men, because it is within the account of the hanaper. But I have made a law to myself, that I will never beg any thing which shall not bring gain to the king. Therefore my suit is, to farm the profits of the alienations, yielding a thousand pounds a year more to the king than hath been yielded *communibus annis*, by a medium of seven years. If the king be pleased to grant me this, it will a little warm the honour he hath given me; and I shall have a new occasion to be, as I ever have been, and shall be,

Your lordship's obliged friend and faithful servant,

FR. VERULAM, CANC.

York-house, October 9, 1618.

CCVIII. TO THE MARQUIS OF BUCKINGHAM [2].

MY VERY GOOD LORD,

THIS morning Mr. Attorney came to me, and desired of me the many writs of *Ne exeat regnum* against most

[1] Stephens's Second Collection, p. 85. [2] Ibid. p. 86.

of the Dutch merchants [1], and withal let me understand that there was a discovery of an infinite transportation of gold and silver out of this realm by the said Dutch merchants, amounting to millions; and that Sir John Britain had made a book thereof, and presented the same to his majesty; and farther, that his majesty had directed him to prosecute the same; and had also given Sir Thomas Vavasor the forfeiture of such ten of them as he should choose.

Hereupon I thought it my duty, as in a matter of great weight, to signify to his majesty by your lordship what I conceive.

The discovery I think very happy. For if it be true, it will be a great benefit to his majesty: it will also content his people much, and it will demonstrate also that Scotland is not the leech, as some discoursers say, but the Netherlanders, that suck the realm of treasure. So that the thing is very good.

But two things I must represent to his majesty; the first, that if I stay merchants from their trading by this

[1] The affair of these Dutch merchants is in some measure represented in this letter, and those of October 9, and Nov. 9, 1619. But Mr. Stephens in his Introduction, p. 45, 46, gives us, by the assistance of some authentic papers, the following account of the affair: Upon the 19th of October, 1618, the attorney-general having applied to the lord chancellor for writs *Ne exeat regnum*, against these merchants, afterwards exhibited an information against about one hundred and eighty of them, for transporting beyond the seas vast quantities of gold and silver in money, plate, and bullion, since the beginning of king James I's reign. The attorney at first brought the cause to an hearing against about twenty of them, who were supposed the greatest offenders, and most able to make restitution. Their fines amounting in the whole to 150,000*l.* of which Mr. William Courteen, and two others, were condemned in 20,000*l.* each; the advice which the lord chancellor gave the king, not to grant away the fines of such ten of them as Sir Thomas Vavasor the discoverer should choose, and which it seems he had in a manner been promised, was a piece of service worthy the place he enjoyed, and the trust he had with the king. Upon the 12th of October, 1619, Mr. Courteen was censured to pay 2000*l.* more, and other smaller sums, for endeavouring to corrupt the king's evidence. And the 19th of November following was appointed for the trial of between twenty and thirty more; but by reason of some neglect or mismanagement in the prosecution, which gave the court a great deal of trouble, and the defendants some advantage, the cause was not heard till the 7th of December, though most of them were then found guilty. Of the large fines imposed upon the delinquents, it is supposed that they paid but a third part; for during the prosecution, the States-General did by a letter desire the marquis of Buckingham to endeavour to moderate the heat thereof, as Sir Noel Carson their ambassador did the next day after sentence, to mitigate the severity.

writ, I must do it either *ex officio*, or by special warrant from his majesty.

If *ex officio*, then I must have more than a bare surmise to grant the writ upon, so as I must be acquainted with the grounds, or at least appearance of proofs. If by special warrant, then I desire to receive the same. The other is, that I humbly beseech his majesty that these royal boughs of forfeiture may not be vintaged, or crop'd by private suitors, considering his majesty's state as it is, but that Sir Thomas Vavasor, or Sir John Britain, may have a bountiful and gracious reward for their discovery; but not the prime, or without stint.

In sum, I would wish his majesty to refer the whole business, and carriage of the same for his honour and profit to the commissioners of treasury; or because it is a legal forfeiture, to myself, Mr. Chancellor, Sir Edward Coke, and my lord chief justice of England: and by us his majesty shall be assured to know the best course for his justice, honour, and profit, and that he may dispose what bounty he will. God ever preserve and prosper you.

Your lordship's most obliged friend and faithful servant,

FR. VERULAM, CANC.

York-house, Octob. 19, 1618.

CCIX. TO THE LORD CHANCELLOR [1].

MY LORD,

I HAVE acquainted his majesty with your letter, who giveth you thanks for your advice to communicate the business of the Dutchmen to the commissioners of the treasury, which his majesty was before purposed to refer to them, as it concerns his treasure, for the carriage of it: and to your lordship and the rest named in your letter, for the relation it hath to the law. For the proposers of the suit, his majesty intendeth only to reward their pains as may stand with his service and his princely disposition, but to preserve the main benefit himself: all that his

[1] Stephens's Second Collection, p. 87.

majesty would have your lordship to do for the present, is to take order about the writ of *Ne exeant regnum;* to advise with his learned counsel what course is to be taken, and if by a warrant from his majesty, that your lordship send him a warrant to be signed, which shall be returned with all speed. Of other things his majesty thinketh it will be time enough to speak at his return to London. In the mean time I rest

Your lordship's faithful friend and servant,

G. BUCKINGHAM.

Hinchenbroke, 21 Octob. 1618.

END OF VOL. V.

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New Bridge Street, London.

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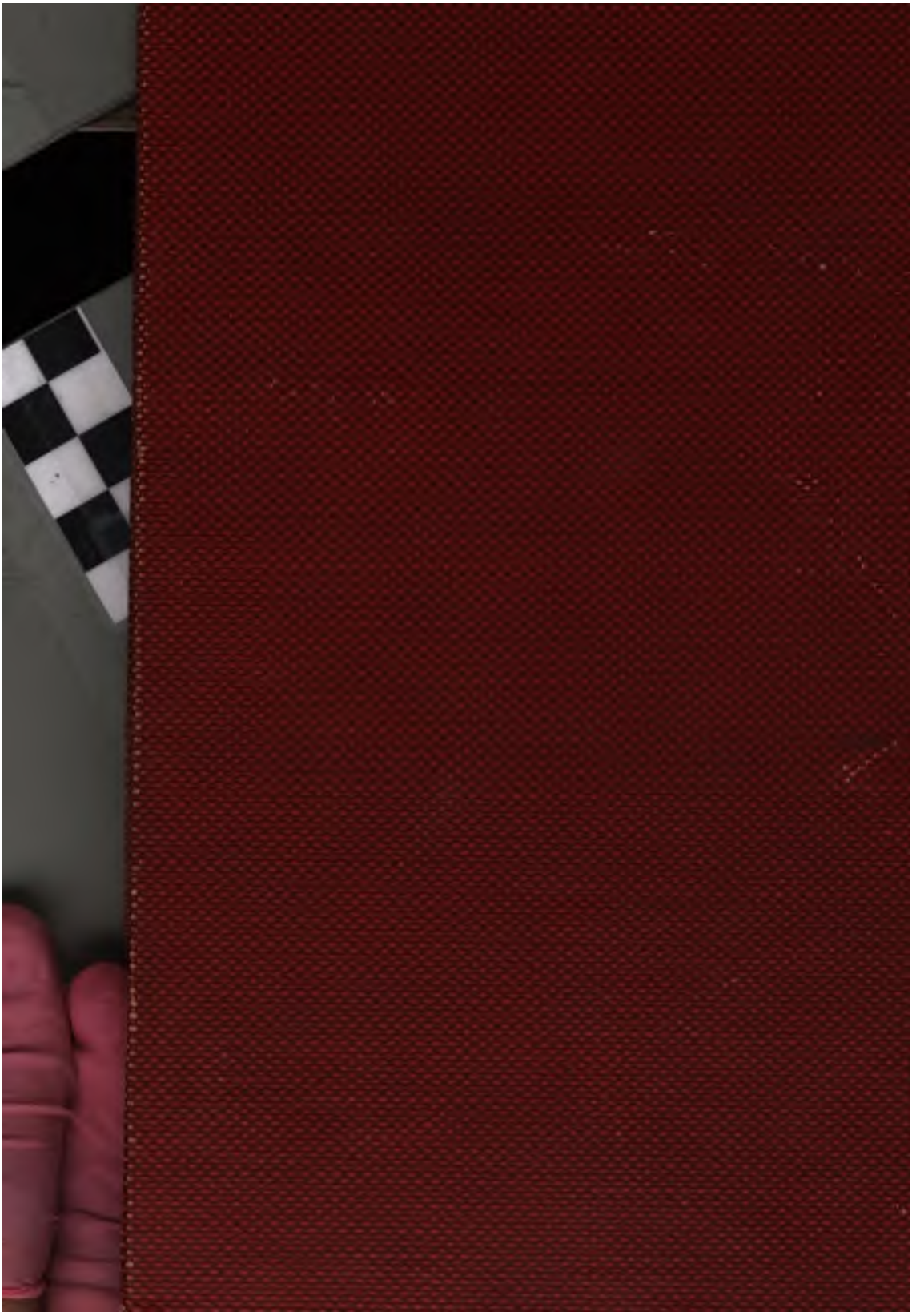
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